



Journal of the Senate

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REPORTS OF COMMITTEES

The Policy and Steering Committee on Ways and Means recommends the following pass: CS for SB 8-A with 1 amendment; CS for SB 10-A; CS for SB 12-A; CS for SB 14-A; CS for SB 16-A; CS for SB 18-A; CS for SB 20-A; CS for SB 22-A; CS for SB 24-A; CS for SB 26-A; CS for SB 28-A; CS for SB 38-A; CS for SB 40-A

The bills were placed on the Calendar.

The Committee on Criminal and Civil Justice Appropriations recommends committee substitutes for the following: SB 12-A; SB 14-A; SB 16-A; SB 18-A

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

The Committee on General Government Appropriations recommends committee substitutes for the following: SB 20-A; SB 22-A; SB 24-A; SB 26-A; SB 28-A

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: SB 8-A; SB 10-A

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: SB 38-A; SB 40-A

The bills with committee substitutes attached contained in the foregoing reports were referred to the Policy and Steering Committee on Ways and Means under the original reference.

The Policy and Steering Committee on Ways and Means recommends committee substitutes for the following: CS for SB 6-A; SB 44-A

The bills with committee substitutes attached were placed on the Calendar.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Policy and Steering Committee on Ways and Means—

SB 2-A—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2008-2009 fiscal year, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

By the Policy and Steering Committee on Ways and Means—

SB 4-A—A bill to be entitled An act implementing the 2008-2009 Special Appropriations Act; providing legislative intent; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds, in order to implement the transfer of moneys to the General Revenue Fund from trust funds as provided in the 2008-2009 Special Appropriations Act; amending s. 215.5601, F.S.; authorizing the transfer of funds from the Lawton Chiles Endowment Fund to the General Revenue Fund for the 2008-2009 fiscal year; providing legislative intent with respect to the repayment of moneys to the Lawton Chiles Endowment Fund; amending s. 259.105, F.S.; providing for the proceeds of certain bonds issued under the Florida Forever program to be deposited into the Florida Forever Trust Fund; providing for the distribution of funds to the Department of Environmental Protection, the Department of Agriculture and Consumer Services, the Fish and Wildlife Conservation Commission, and the Department of Community Affairs to be used for the acquisition of lands, capital project expenditures, and other purposes; requiring that certain approved or pending acquisitions, contracts, or other instruments be allowed to lapse; requiring the reassessment of certain acquisitions; amending ss. 420.0005 and 420.9079, F.S.; requiring that the Florida Housing Finance Corporation return to the State Treasury for the 2008-2009 fiscal year only certain unexpended funds held by the corporation; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for severability; providing an effective date.

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

COMMITTEE SUBSTITUTES

FIRST READING

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

CS for SB 6-A—A bill to be entitled An act relating to education funding; amending s. 218.503, F.S.; providing for a reduction in salary for certain school district employees when a state of financial emergency within the district continues beyond a specified period; amending ss. 1001.42 and 1001.50, F.S.; prohibiting a district school board from entering into an employment contract that provides for payment of an amount greater than 1 year of an employee's or superintendent's annual salary for termination, buy-out, or other type of settlement; amending s. 1002.53, F.S., relating to the Voluntary Prekindergarten Education Program; conforming provisions to changes made by the act; amending s. 1002.61, F.S.; increasing the number of students authorized for a summer prekindergarten class; conforming cross-references; amending s. 1002.63, F.S.; eliminating certain eligibility requirements for delivering a prekindergarten program during the school year; amending s. 1002.71, F.S.; providing for separate base student allocations for school-year and summer prekindergarten programs; revising the formula for calculating and reporting full-time equivalent student enrollment; providing certain restrictions with respect to a child who reenrolls in a prekindergarten program; requiring that certain administrative procedures be automated; decreasing the amount that an early learning coalition may expend for administrative purposes; amending s. 1002.73, F.S.; revising duties of the Department of Education, to conform; amending s. 1006.40, F.S.; waiving, for the adoption cycle of the 2008-2009 academic year, the requirement that district school boards purchase instructional materials in core courses; creating s. 1011.051, F.S.; requiring that district school boards maintain an unreserved general fund balance sufficient to address contingencies; specifying procedures for the district to follow if the operating budget falls below specified percentages or projected general fund revenues; requiring that collective bargaining agreements make adequate provisions for maintaining the required general fund balances;

providing that a collective bargaining agreement entered into after the effective date of the act which fails to comply with the act is void and unenforceable; requiring modification of collective bargaining agreements under circumstances involving financial urgency; amending s. 1011.71, F.S.; authorizing the purchase of certain enterprise resource software applications with proceeds of the district school tax; eliminating certain restrictions on the expenditure of revenues from the district school tax levy; providing for future expiration of such provisions; amending s. 1013.64, F.S., relating to funds for constructing educational plant space; conforming provisions; providing for a reduction in salary of district school board members for a specified period, notwithstanding certain provisions; providing for awards for instructional personnel and school-based administrators under the Merit Award Program to be paid only to the extent funded in the 2009-2010 fiscal year; incorporating by reference certain calculations of the Florida Education Finance Program for the 2008-2009 fiscal year; providing for contingent retroactive application of specified provisions of the act; providing an effective date.

By the Policy and Steering Committee on Ways and Means; the Committee on Education Pre-K - 12 Appropriations; and Senator Wise—

CS for CS for SB 6-A—A bill to be entitled An act relating to education funding; amending s. 218.503, F.S.; providing for a reduction in salary for certain school district employees when a state of financial emergency within the district continues beyond a specified period; amending s. 1001.395, F.S.; providing for district school members to reduce their salary rate on a voluntary basis; amending ss. 1001.42 and 1001.50, F.S.; prohibiting a district school board from entering into an employment contract that provides for payment of an amount greater than 1 year of an employee's or superintendent's annual salary for termination, buy-out, or other type of settlement; amending s. 1002.53, F.S., relating to the Voluntary Prekindergarten Education Program; conforming provisions to changes made by the act; amending s. 1002.61, F.S.; increasing the number of students authorized for a summer prekindergarten class; conforming cross-references; amending s. 1002.63, F.S.; eliminating certain eligibility requirements for delivering a prekindergarten program during the school year; amending s. 1002.71, F.S.; providing for separate base student allocations for school-year and summer prekindergarten programs; revising the formula for calculating and reporting full-time equivalent student enrollment; providing certain restrictions with respect to a child who reenrolls in a prekindergarten program; requiring that certain administrative procedures be automated; decreasing the amount that an early learning coalition may expend for administrative purposes; amending s. 1002.73, F.S.; revising duties of the Department of Education, to conform; amending s. 1006.40, F.S.; waiving, for the adoption cycle of the 2008-2009 academic year, the requirement that district school boards purchase instructional materials in core courses; creating s. 1011.051, F.S.; requiring that district school boards maintain an unreserved general fund balance sufficient to address contingencies; specifying procedures for the district to follow if the operating budget falls below specified percentages or projected general fund revenues; requiring that collective bargaining agreements make adequate provisions for maintaining the required general fund balances; providing that a collective bargaining agreement entered into after the effective date of the act which fails to comply with the act is void and unenforceable; requiring modification of collective bargaining agreements under circumstances involving financial urgency; amending s. 1011.71, F.S.; authorizing the purchase of certain enterprise resource software applications with proceeds of the district school tax; eliminating certain restrictions on the expenditure of revenues from the district school tax levy; providing for future expiration of such provisions; amending s. 1013.64, F.S., relating to funds for constructing educational plant space; conforming provisions; providing for awards for instructional personnel and school-based administrators under the Merit Award Program to be paid only to the extent funded in the 2009-2010 fiscal year; authorizing the Commissioner of Education to waive the equal-dollar reduction requirement for expenditures made during a specified time for property and casualty insurance and for the audit findings for a specified fiscal year related to the purchase of software, if the commissioner determines that a school district acted in good faith; incorporating by reference certain calculations of the Florida Education Finance Program for the 2008-2009 fiscal year; providing for contingent retroactive application of specified provisions of the act; providing an effective date.

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

CS for SB 8-A—A bill to be entitled An act relating to the Medicaid program; amending ss. 409.908 and 409.912, F.S.; revising the amount reimbursed to providers and pharmacies for drugs prescribed under the program; creating s. 409.9082, F.S.; providing definitions; requiring the Agency for Health Care Administration to calculate and assess a quality assessment on health care items or services provided by nursing facilities; requiring the agency to seek a waiver of broad-based and uniform provider assessment requirements of federal law; providing for the return of collected assessments under certain circumstances; requiring the agency to adopt rules; providing for the use of moneys in the Grants and Donations Trust Fund and specifying an order of priority; providing for nullification of the quality assessment under certain circumstances; authorizing the agency to impose certain penalties and fines; prohibiting the reversion of moneys in the fund relating to the quality assessment; providing an effective date.

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

CS for SB 10-A—A bill to be entitled An act relating to biomedical research; amending ss. 215.5602 and 381.922, F.S.; revising the amount of annual appropriations to the Biomedical Research Trust Fund within the Department of Health; requiring that moneys transferred to the trust fund during the 2008-2009 fiscal year in excess of specified amounts be transferred to the General Revenue Fund by a specified date; providing an effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

CS for SB 12-A—A bill to be entitled An act relating to the state judicial system; amending s. 28.241, F.S.; requiring that a portion of filing fees in civil actions be deposited for use by the state courts system; amending s. 318.14, F.S.; eliminating a percentage reduction in penalties for noncriminal traffic infractions which is provided for attending a basic driver improvement course; providing for the distribution of a specified portion of penalty revenues; amending s. 318.15, F.S., to conform; amending s. 318.18, F.S.; increasing certain fines for speeding; creating an assessment to be paid for noncriminal moving and non-moving traffic infractions; amending s. 318.21, F.S.; providing for the distribution of funds from certain penalties imposed for traffic infractions; amending s. 775.083, F.S.; providing for the distribution of certain criminal and noncriminal fines; defining the terms "convicted" and "conviction" for purposes of liability for payment of criminal and non-criminal fines; amending s. 948.01, F.S.; providing that the imposition of probation in certain nonfelony cases is discretionary rather than mandatory; authorizing the court to impose a fine without placing a non-felony offender on probation; providing that certain revenues generated under the act may not be used to establish the budgets of clerks of the court; providing effective dates.

By the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

CS for SB 14-A—A bill to be entitled An act relating to trust funds; creating the State Courts Independent Trust Fund within the state courts system; providing for the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

CS for SB 16-A—A bill to be entitled An act relating to trust funds; creating the State Attorneys Independent Trust Fund within the Justice Administrative Commission; providing for the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

CS for SB 18-A—A bill to be entitled An act relating to trust funds; creating the Public Defenders Independent Trust Fund within the Justice Administrative Commission; providing for the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

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

CS for SB 20-A—A bill to be entitled An act relating to the My Safe Florida Home Program; amending s. 215.5586, F.S.; deleting a requirement that the Department of Financial Services set aside a portion of program funds for the purpose of implementing certain hurricane mitigation measures; providing an effective date.

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

CS for SB 22-A—A bill to be entitled An act relating to water resources development; amending s. 403.890, F.S.; revising the distribution of funds from the Water Protection and Sustainability Program Trust Fund; providing for future expiration of such provisions; providing for the reallocation of funds to conform to changes made by the act; providing an effective date.

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

CS for SB 24-A—A bill to be entitled An act relating to mitigation funding for transportation projects; amending s. 373.4137, F.S.; deleting provisions directing that certain funds of the Department of Transportation be used for invasive plant control, SWIM projects, or other water resource projects; providing an effective date.

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

CS for SB 26-A—A bill to be entitled An act relating to the Marine Resources Conservation Trust Fund; amending s. 201.15, F.S.; deleting provisions requiring that a portion of revenue from the excise tax on documents be credited to the fund; amending s. 379.208, F.S., relating to the purposes of the trust fund; conforming provisions to changes made by the act; providing an effective date.

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

CS for SB 28-A—A bill to be entitled An act relating to the Insurance Capital Build-Up Incentive Program; amending s. 215.5595, F.S.; requiring that repayments made by property insurers of surplus notes issued under the program be deposited into the General Revenue Fund; providing an effective date.

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

CS for SB 38-A—A bill to be entitled An act relating to economic development; creating s. 288.1081, F.S.; creating the Economic Gardening Business Loan Pilot Program within the Office of Tourism, Trade, and Economic Development; providing legislative findings and intent; providing eligibility criteria for the award of loans to certain businesses; providing application procedures; requiring loan agreements; providing terms of loans; providing for use of loan proceeds; providing criteria and application procedures for the selection of loan administrators; requiring a loan administrator to enter into a grant agreement; providing for the disbursement of certain funds from the Economic Development Trust Fund; requiring fees for the loan admin-

istrator; providing for the collection and deposit of loan payments; requiring the loan administrator to submit a report to the office; requiring the office to adopt rules; authorizing the use of emergency rulemaking procedures; requiring the office to submit a report to the Governor and Legislature; providing for reversion and carryforward of certain unexpended appropriations; prohibiting new loans after a specified date; providing for future repeal; creating s. 288.1082, F.S.; creating the Economic Gardening Technical Assistance Pilot Program within the office; requiring the office to contract for administration of the pilot program; requiring competitive procurement; requiring the provision of technical assistance to certain businesses; providing eligibility criteria for businesses to receive technical assistance; requiring the businesses to enter into agreements with the contracted entity administering the pilot program; requiring the businesses to report certain data; providing that the contracted entity is an economic development agency; providing for review of contracts; requiring the office to submit a report to the Governor and Legislature; authorizing the office to adopt rules; directing the Office of Program Policy Analysis and Government Accountability to submit a report to the Governor and Legislature; authorizing the expenditure of certain funds appropriated for the pilot program; providing an effective date.

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

CS for SB 40-A—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 318.18, F.S.; increasing the fine imposed for failing to pay a civil traffic penalty within the period specified; requiring that the additional revenue be deposited into the General Revenue Fund; prohibiting the use of a portion of that amount in establishing the budget of the clerk of the court; amending s. 320.06, F.S.; requiring that certain fees collected from motor vehicle registration and registration renewal be deposited into the Highway Safety Operating Trust Fund; amending s. 320.08, F.S.; authorizing the use of certain fees from motorcycle and moped registration for the general operations of the department; amending ss. 320.0805 and 320.08056, F.S.; requiring that certain fees for prestige and specialty license plates be deposited into the Highway Safety Operating Trust Fund; amending s. 322.025, F.S.; revising requirements for funding motorcycle driver improvement programs; amending s. 322.0255, F.S.; eliminating a requirement that the department reimburse organizations that provide motorcycle safety education courses; providing an effective date.

By the Policy and Steering Committee on Ways and Means; and Senator Alexander—

CS for SB 44-A—A bill to be entitled An act relating to governmental operations; requiring state agencies to review existing and proposed contracts for the purpose of reducing contract payments; authorizing agencies to renegotiate contracts; providing for future expiration of such provisions; establishing the policy of the state concerning limitations on travel by state employees for a specified period; providing for certain exceptions; requiring that agencies consider using electronic communications; requiring the Office of Program Policy Analysis and Governmental Accountability, in consultation with the Department of Management Services, to develop recommendations regarding the prudent issuance and use of state-owned wireless communications devices; requiring a report to the Legislature; requiring the Department of Management Services to compile a list of and review state-owned surplus real property of greater than a specified value; providing requirements for the review; requiring a report to the Legislature and the Executive Office of the Governor; requiring that the Chief Financial Officer consider methods to ensure that state agencies receive the maximum federal funds to which the state is entitled; requiring the Chief Financial Officer to make recommendations to the Office of Policy and Budget and the legislative appropriations committees; requiring each state agency to ensure the receipt of maximum federal funds to which the agency is entitled based on its current services; requiring the office to examine whether a private entity should be used to recover fraudulent Medicaid claims; requiring the office to examine the use of alternative placements for low-risk inmates; requiring reports to the Legislature by a specified date; providing an effective date.