



Journal of the Senate

Number 6—Regular Session

Thursday, April 2, 2009

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CALL TO ORDER

The Senate was called to order by President Atwater at 9:00 a.m. A quorum present—40:

Mr. President	Fasano	Peaden
Alexander	Gaetz	Pruitt
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Villalobos
Detert	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Oelrich	

PRAYER

The following prayer was offered by Rabbi Schneur Oirechman, Director of Chabad Lubavitch of the Panhandle, Tallahassee:

Almighty God, Light of the Universe:

Grant us inspiration from the new season of spring: Let the great efforts of our Senate bear fruit as it tills the soil of our economy; let the hard work of our Senators take root that the State of Florida flourish and grow.

Almighty God: Let us learn from the late Lubavitcher Rebbe, Rabbi Menachem M. Schneersohn, whose birthday our community marks this coming Sunday. Let us live by the motto, "A little light dispels much darkness."

Almighty God: As our community marks the Blessing of the Sun, celebrating the sun's return to its place at Creation every 28 years, let our Senators be shining examples of light, goodness and hope. In this season of longer days, grant us brighter days; let us bring light to a dark world. Let us pray that the darkness of evil gives way to the light of goodness and kindness.

Almighty God: As Passover, the Festival of Freedom, will be celebrated around the world in a few days, let us internalize the message of Passover today. Let our public servants recognize their role in promoting freedom here and abroad, and let the Passover spirit inspire us all to pass over our obstacles and reach ever-greater heights.

Almighty God: Enlighten this chamber and its worthy Senators who serve their state and country as bearers of your light, and may we realize your glorious and peaceful kingdom on Earth, one act of light at a time, Amen.

PLEDGE

Senate Pages Laura Goldberg of Ormond Beach; Ashleigh Gregoria of Bradenton; Joe Detert, grandson of Senator Detert, of Venice; and Amanda Atwater, daughter of President Atwater, of North Palm Beach led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Robert Fedor of Madeira Beach, sponsored by Senator Jones, as doctor of the day. Dr. Fedor specializes in Family Practice.

ADOPTION OF RESOLUTIONS

On motion by Senator Hill—

By Senator Hill—

SR 2132—A resolution honoring the outstanding academic, athletic, and humanitarian accomplishments of Myron L. Rolle.

WHEREAS, Myron L. Rolle was recruited by Florida State University from the Hun School in Princeton, New Jersey, as the nation's Number One football recruit, and

WHEREAS, Myron Rolle is recognized by football coaches and fans nationwide as a once-in-a-lifetime student athlete, having distinguished himself both on and off the field, and

WHEREAS, Myron Rolle earned an undergraduate degree in pre-med in just 2 and 1/2 years and is currently studying for a master's degree in public administration at Florida State University, and

WHEREAS, Myron Rolle, as an undergraduate student at Florida State University, conceived and won financial support for a program that educates 5th grade students at Pemayety Emahaky Charter School for Seminole Indians, in Okeechobee, on physical fitness and health, and

WHEREAS, Myron Rolle was, on November 22, 2008, awarded a prestigious Rhodes Scholarship, which will afford him the opportunity to study medical anthropology at Oxford University, thus furthering the pursuit of his dream of one day opening a medical clinic that will serve the poor in the Bahamas, and

WHEREAS, Myron Rolle, in the first 22 years of his life, has consistently held himself to the highest standards, including that expressed in the Oxford University motto, *Dominus illuminatio mea*, "The Lord is My Light," and exemplifies the qualities of mind and qualities of a person that, together, Oxford University recognizes as offering the promise of effective service to the world in the decades ahead, NOW, THEREFORE,

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

That the Florida Senate commends Myron Rolle for the honor and pride he has brought to Florida State University and to our great state through his pursuit of excellence on the football field, in the classroom, in the community, and as a citizen of the world.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Myron Rolle as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Hill, **SR 2132** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Hill introduced Rhodes Scholar and former FSU football player, Myron L. Rolle, his mother, Beverly, and brother, Mckinley, who were present in the chamber. Also present in the chamber were FSU President, T.K. Wetherell, and Secretary of the Department of Children and Families, George Sheldon. The President invited Mr. Rolle to the rostrum for brief remarks.

MOMENTS OF SILENCE

The President recognized Senator Storms who led the Senate in a moment of silence for G. S. Cunningham Jr., a descendant of one of the original 12 families that settled and founded the Bealsville Community. Mr. Cunningham recently served on the Board of Directors and as Treasurer of Bealsville, Inc.

The President recognized Senator Lawson who led the Senate in a moment of silence for Joan Glickman, a former Senate employee who passed away March 25.

On motion by Senator Joyner—

By Senator Joyner—

SR 2714—A resolution recognizing March 31, 2009, as “African Methodist Episcopal Church Day” at the Capitol.

WHEREAS, the African Methodist Episcopal Church grew out of the Free African Society, established by Richard Allen, Absalom Jones, and others in 1787 in Philadelphia, Pennsylvania, and

WHEREAS, facing discrimination at the hands of white American Methodists at the St. George Methodist Episcopal Church, members of the Free African Society transformed their mutual aid society into two church congregations, one of which was Bethel African Methodist Episcopal Church, and

WHEREAS, while the African Methodist Episcopal Church is doctrinally Methodist, its clergy, scholars, and lay persons have written many important works that demonstrate the distinctive theology and praxis that have defined this Wesleyan body, and

WHEREAS, in 1794, Bethel African Methodist Episcopal Church was dedicated with Richard Allen as pastor, and

WHEREAS, to establish Bethel African Methodist Episcopal Church’s independence from interfering white Methodists, Richard Allen successfully sued in the Pennsylvania courts in 1807 and 1815 for the right of his congregation to exist as an independent institution, and

WHEREAS, the geographical spread of the African Methodist Episcopal Church prior to the Civil War was mainly restricted to the Northeast and Midwest, and

WHEREAS, the most significant era of denominational development occurred during the Civil War and Reconstruction, when Union army officials allowed African Methodist Episcopal Church clergy to move into the states of the collapsing Confederacy to welcome newly freed slaves into their denomination, and

WHEREAS, by 1880, African Methodist Episcopal Church membership reached 400,000 members, and

WHEREAS, the African Methodist Episcopal Church in Florida began on June 22, 1865, with the appointment of Rev. William G. Steward as the founding pastor, and

WHEREAS, Bishop Henry M. Turner transported African Methodism across the Atlantic Ocean into Liberia and Sierra Leone in 1891 and into South Africa in 1896, and

WHEREAS, by the 1990s, the African Methodist Episcopal Church included more than 2.5 million members, 8,000 ministers, and 7,000 congregations, with 21 bishops and 9 general officers comprising the leadership of the denomination in more than 30 nations in North and South America, Africa, and Europe, and

WHEREAS, the African Methodist Episcopal Church boasts more than 105,000 members in the Florida, East, Central, West Coast, South, and Bahamas conferences, who are currently led by Bishop McKinley Young, the denomination’s 109th elected and consecrated bishop, NOW, THEREFORE,

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

That the Senate recognizes March 31, 2009, as “African Methodist Episcopal Church Day” at the Capitol.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 2714** was read the second time in full and adopted.

At the request of Senator Diaz de la Portilla—

By Senator Diaz de la Portilla—

SR 2764—A resolution recognizing April 1 and 2, 2009, as “Miami-Dade County Days” in Florida.

WHEREAS, Greater Miami-Dade County is home to thousands of businesses that employ millions of people and is the site of foreign consulates, international trade offices, and multinational Chambers of Commerce, and

WHEREAS, Miami-Dade County is a center of world finance, with hundreds of financial institutions and foreign agencies within its boundaries, and

WHEREAS, the music and film industries have made Miami-Dade County one of the largest audio and video production centers in the nation, and

WHEREAS, agriculture continues to provide hundreds of millions of dollars of economic activity annually in a diversified industry, with Miami-Dade County one of the largest producers in the United States of tropical fruits, ornamental plants, and fish, and

WHEREAS, manufacturing is also a key industry in Miami-Dade County, with thousands of companies employing many thousands of individuals, and

WHEREAS, Miami-Dade County is experiencing a cultural boom in world-class entertainment and cultural activities, which is evidenced by the thousands of nonprofit cultural organizations offering dance, theater, music, visual arts, festivals, and special events, and

WHEREAS, Miami-Dade County is a microcosm of the world, where hundreds of countries are represented and diverse languages are spoken daily, and

WHEREAS, 20 years ago the late Rep. John F. Cosgrove, as chair of the then-Dade County Legislative Delegation, worked with the private sector to create what is now Miami-Dade County Days in Tallahassee, NOW, THEREFORE,

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

That April 1 and 2, 2009, are recognized as “Miami-Dade County Days” in Florida.

—**SR 2764** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 296—A resolution expressing gratitude and affection to all mothers.

WHEREAS, Anne Jarvis, a young Appalachian homemaker, organized women throughout the Civil War to work for better sanitation conditions, and in 1868 continued her efforts by designating “Mothers’ Work Days” for improving sanitation, and

WHEREAS, Social Activist Julia Ward Howe, Boston poet, pacifist, suffragist, and author of the lyrics to the “Battle Hymn of the Republic,” influenced by Anne Jarvis’s sanitation initiative, conceived the idea during the Civil War of calling all women to unite against the war, organized a day encouraging mothers to rally for peace, and wrote a Mother’s Day proclamation in 1870 calling for peace and disarmament, and

WHEREAS, Julia Ward Howe failed to get formal recognition of a Mother’s Day for Peace, and after Anne Jarvis’s passing on May 9, 1905, her daughter Anna Jarvis took up the efforts to establish a day recognizing mothers, and

WHEREAS, as a result of Anna Jarvis’s crusade, the first Mother’s Day was celebrated in Grafton, West Virginia, on May 10, 1908, to commemorate the anniversary of her mother’s passing, and

WHEREAS, the Mother’s Day custom eventually spread to 45 other states, and President Woodrow Wilson declared the first national Mother’s Day on May 14, 1914, and

WHEREAS, the highest ideals and noblest principles of humanity find their most exemplary expression in the sacrifice and devotion of mothers, and no sincere human being can deny the importance of a mother in the life of a child, and

WHEREAS, mothers exemplify enduring courage and conviction, are characterized by unconditional love for their children, and serve as the anchors that bond families, and

WHEREAS, a mother is a gift bestowed on man, never more dear than when bringing forth life in the form of a child, and

WHEREAS, it is proper that the members and staff of the Florida Senate recognize the great debt of gratitude owed to all mothers for their strength, guidance, understanding, and love, NOW, THEREFORE,

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

That the members of the Senate do hereby express to their own mothers and to all mothers, on behalf of the people of the State of Florida, personal affection and heartfelt gratitude.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journal of the Senate as a tangible token of the love and respect that the members hold for all mothers.

—**SR 296** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 298—A resolution expressing affection for and gratitude to all fathers.

WHEREAS, in 1909 Sonora Smart Dodd of Spokane, Washington, first had the idea of a “father’s day” while listening to a Mother’s Day sermon, and

WHEREAS, Sonora Dodd realized the strength, courage, and selflessness her father had shown in raising his children as a single parent,

and thus chose to hold the first Father’s Day celebration in Spokane, Washington, on the 19th of June, 1910, and

WHEREAS, in early times, wearing flowers was a traditional way of celebrating Father’s Day, and

WHEREAS, in 1924, President Calvin Coolidge recognized Father’s Day as a national event to “establish more intimate relations between fathers and their children and to impress upon fathers the full measure of their obligations,” and

WHEREAS, in 1926, a National Father’s Day Committee was formed in New York City, resulting in a Joint Resolution of Congress in 1956 recognizing Father’s Day, and President Richard Nixon signed the law that finally made Father’s Day a permanent holiday in 1972, and

WHEREAS, Sunday, June 14, 2009, has been designated as Father’s Day in the United States, and

WHEREAS, the American tradition of a productive society and a secure home has depended in great part on the hard work and sacrifice of fathers who tirelessly seek for their children a better life and greater opportunity than they themselves have known, and

WHEREAS, fulfilling the demanding roles of fatherhood, as provider, teacher, role model, comforter, and protector, is an act of true heroism in today’s world, and

WHEREAS, each new generation looks to its fathers for courage, strength, and understanding, and

WHEREAS, the enduring affection between fathers and their families is recognized and appreciated as one of the most positive elements upon which our future as a nation depends, and

WHEREAS, it is fitting and appropriate that the members and staff of the Florida Senate recognize the immeasurable debt of gratitude owed to fathers for their strength, guidance, understanding, and love, NOW, THEREFORE,

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

That the members of the Senate do hereby express to their own fathers and to all fathers, on behalf of the people of the State of Florida, personal affection and heartfelt gratitude.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journal of the Senate as a tangible token of the love and respect that the members hold for all fathers.

—**SR 298** was introduced, read and adopted by publication.

At the request of Senator Haridopolos—

By Senator Haridopolos—

SR 2106—A resolution recognizing March 12, 2009, as “Apprenticeship Day 2009” in Florida.

WHEREAS, the apprenticeship method of on-the-job training and related classroom instruction is found worldwide and has consistently been proven to be an effective, efficient, and economical way to pass on trade and craft skills and knowledge needed by the builders of a nation’s economy, and

WHEREAS, since being incorporated into state law 62 years ago, Florida’s apprenticeship program has taught tens of thousands of students critical, industry-identified skills and knowledge necessary for apprentices to take their place as sought-after, skilled craftpersons, creating a diversification that helps keep the state’s economy growing by being built upon enduring strengths, and

WHEREAS, it has been repeatedly demonstrated that apprenticeship completers consistently earn higher salaries than students earning college degrees through the baccalaureate level, that apprentices are likely to remain in the high-skill, high-wage fields in which they received their training, and that they have extremely low rates of public assistance, and

WHEREAS, Florida's current registered apprenticeship program has 248 active apprenticeship programs throughout the state training 14,599 apprentices, Florida consistently ranks in the top 10 percent nationally in the number of apprentices served; and Florida's registered apprenticeship system welcomes all apprentices 16 years of age or older without regard to gender or ethnicity, and

WHEREAS, Florida's registered apprenticeship system guarantees the availability of a quality workforce trained to the exacting standards of the state's trades, while at the same time improving the training standards of business and industry, and it is on these strengths of a diversified workforce that Florida's economy will flourish and maintain its competitive edge nationally and internationally, and

WHEREAS, it is commonly known that the effectiveness and uniqueness of Florida's registered apprenticeship program is in part due to the unique cooperation and strong partnerships forged among the business and industry sectors, the educational community, apprenticeship program sponsors, and dedicated students who are highly motivated to learn, and

WHEREAS, registered apprenticeship programs are an essential part of our education system and such programs are a critical component in the development and delivery of high-caliber, skilled craftspeople needed to continue the growth that has been Florida's hallmark, NOW, THEREFORE,

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

That March 12, 2009, is recognized as "Apprenticeship Day 2009" in Florida.

—**SR 2106** was introduced, read and adopted by publication.

At the request of Senator Jones—

By Senator Jones—

SR 2526—A resolution recognizing March 31 and April 1, 2009, as "Massage Therapy Legislative Awareness Days."

WHEREAS, members of the Florida State Massage Therapy Association and the Florida Chapter of the American Massage Therapy Association throughout the state are actively involved in public awareness and health programs to improve the health and quality of life of Florida residents, and

WHEREAS, the Florida State Massage Therapy Association and the Florida Chapter of the American Massage Therapy Association have been holding Massage Therapy Legislative Awareness Days at the Florida Capitol since 1988 for the purpose of educating the Legislature and the public concerning the many health benefits of massage therapy, and

WHEREAS, the practice of massage therapy is regulated by the Board of Massage Therapy within the Department of Health under chapter 480, Florida Statutes, and

WHEREAS, massage therapists have been licensed and regulated in Florida since 1943, and currently more than 29,000 massage therapists are licensed by the state, and

WHEREAS, massage therapy is a low-cost, high-quality means of enhancing and restoring health, and

WHEREAS, increased awareness of the benefits of massage therapy will lead to improved health and vitality of the residents of this state, and

WHEREAS, the Legislature recognizes massage therapy for wellness and preventive health measures, NOW, THEREFORE,

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

That the Florida Senate recognizes March 31 and April 1, 2009, as "Massage Therapy Legislative Awareness Days."

—**SR 2526** was introduced, read and adopted by publication.

At the request of Senator King—

By Senator King—

SR 2744—A resolution honoring and congratulating the Jacksonville University Dolphins football team on winning their first Pioneer Football League championship and participating in the program's first postseason bowl game.

WHEREAS, Jacksonville University started its intercollegiate football program in 1998 and in its first 10 years of competition the non-scholarship team enjoyed only one winning season, and

WHEREAS, under the institutional leadership of University President Dr. Kerry Romesburg and Athletics Director Alan Verlander, former University of Florida quarterback Kerwin Bell took over the reins as head coach of the Dolphins program in 2007 and suffered through a 3-8 season before leading the Dolphins to their most successful season ever in 2008, finishing with a regular season record of 9-3 overall and 7-1 in the Pioneer Football League, and

WHEREAS, on the final day of the 2008 regular season, Jacksonville University hosted the University of Dayton, the conference's defending champion, and with an amazing second half rally defeated the Flyers by a score of 19-14 before the largest crowd in the school history to win the Pioneer Football League championship, and

WHEREAS, the Dolphins were led by some outstanding individual performances in 2008, with four players earning First Team All-Conference honors, including Pioneer Football League Freshman Offensive Player of the Year Josh McGregor, four players earning places on the Second Team, seven players earning All-Conference honorable mention, and Coach Kerwin Bell being named Pioneer Football League Coach of the Year, and

WHEREAS, the 2008 conference championship earned the Dolphins their first postseason bowl game, a matchup with the State University of New York at Albany, the champion of the Northeast Conference, in the Gridiron Classic in Albany, New York, on December 6, 2008, and

WHEREAS, the team's outstanding season brought tremendous excitement and pride to the Jacksonville University campus and the entire city of Jacksonville and further exemplified the dramatic improvement in all of the university's athletic programs, from rowing and soccer to track and field and volleyball, NOW, THEREFORE,

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

That the Florida Senate honors and congratulates the Jacksonville University Dolphins football team for winning their first-ever Pioneer Football League championship and participating in the program's first postseason bowl game, the Gridiron Classic, and extends its best wishes to the Dolphins football team and to the entire Jacksonville University community for continued athletic and academic success.

—**SR 2744** was introduced, read and adopted by publication.

BILLS ON THIRD READING

CS for CS for SB 360—A bill to be entitled An act relating to growth management; providing a short title; amending s. 163.3164, F.S.; revising definitions; providing a definition for the term "dense urban land area"; amending s. 163.3177, F.S.; extending dates relating to requirements for adopting amendments to the capital improvements element of a local comprehensive plan; deleting a penalty for local governments that fail to adopt a public school facilities element and interlocal agreement; authorizing the state land planning agency to issue a notice to a school board or local government to show cause for not imposing sanctions; requiring that the state land planning agency submit its findings to the Administration Commission within the Executive Office of the Governor if the agency finds insufficient cause to impose sanctions; authorizing the Administration Commission to impose certain sanctions; amending s. 163.3180, F.S.; revising concurrency requirements; providing legislative findings relating to transportation concurrency exception areas; providing for the applicability of transportation concurrency exception

areas; deleting certain requirements for transportation concurrency exception areas; providing that the designation of a transportation concurrency exception area does not limit a local government's home rule power to adopt ordinances or impose fees and does not affect any contract or agreement entered into or development order rendered before such designation; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature concerning the effects of the transportation concurrency exception areas; providing for an exemption from level-of-service standards for proposed development related to qualified job-creation projects; amending s. 163.3184, F.S.; clarifying the definition of the term "in compliance"; conforming cross-references; amending s. 163.3187, F.S.; exempting certain additional comprehensive plan amendments from the twice-per-year limitation; limiting the adoption of certain amendments to the text of a plan to once per calendar year; amending s. 163.3246, F.S.; conforming a cross-reference; amending s. 163.32465, F.S.; revising provisions relating to the state review of comprehensive plans; providing for additional types of amendments to which the alternate state review applies; requiring that agencies submit comments within a specified period after the state land planning agency notifies the local government that the plan amendment package is complete; requiring that the local government adopt a plan amendment within a specified period after comments are received; requiring that the state land planning agency adopt rules; deleting provisions relating to reporting requirements for the Office of Program Policy Analysis and Government Accountability; amending s. 380.06, F.S.; providing exemptions for dense urban land areas from the development-of-regional-impact program; providing exceptions; amending s. 163.31801, F.S.; revising provisions relating to impact fees; providing that notice is not required if an impact fee is decreased, suspended, or eliminated; amending s. 171.091, F.S.; requiring that a municipality submit a copy of any revision to the charter boundary article which results from an annexation or contraction to the Office of Economic and Demographic Research within the Legislature; amending s. 186.509, F.S.; revising provisions relating to a dispute resolution process to reconcile differences on planning and growth management issues between certain parties of interest; providing for mandatory mediation; providing that the act fulfills an important state interest; providing an effective date.

—as amended March 24 was read the third time by title.

On motion by Senator Bennett, **CS for CS for SB 360** as amended was passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Fasano	Peaden
Altman	Gaetz	Pruitt
Aronberg	Gardiner	Richter
Baker	Haridopolos	Ring
Bennett	Hill	Siplin
Constantine	Jones	Smith
Crist	Justice	Sobel
Dean	King	Wilson
Detert	Lawson	Wise
Deutch	Lynn	

Nays—8

Bullard	Gelber	Storms
Dockery	Joyner	Villalobos
Garcia	Rich	

On motion by Senator Crist, by two-thirds vote **HB 7073** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Crist, by two-thirds vote—

HB 7073—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Law Enforcement without modification; repealing s. 943.366(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—a companion measure, was substituted for **SB 1084** and read the second time by title.

SENATOR WILSON PRESIDING

On motion by Senator Crist, by two-thirds vote **HB 7073** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Fasano	Peaden
Alexander	Gaetz	Pruitt
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Villalobos
Detert	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Oelrich	

Nays—None

On motion by Senator Crist, by two-thirds vote **HB 7069** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Crist, by two-thirds vote—

HB 7069—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the state courts system without modification; repealing s. 25.3842(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—a companion measure, was substituted for **SB 1086** and read the second time by title.

On motion by Senator Crist, by two-thirds vote **HB 7069** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Altman	Gaetz	Pruitt
Aronberg	Garcia	Rich
Baker	Gardiner	Richter
Bennett	Haridopolos	Ring
Bullard	Hill	Siplin
Constantine	Jones	Smith
Crist	Joyner	Sobel
Dean	Justice	Storms
Detert	King	Villalobos
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Gelber

On motion by Senator Crist, by two-thirds vote **HB 7071** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Crist, by two-thirds vote—

HB 7071—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Department of Corrections without modification; repealing s. 945.21503(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—a companion measure, was substituted for **SB 1090** and read the second time by title.

On motion by Senator Crist, by two-thirds vote **HB 7071** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Peaden
Alexander	Gaetz	Pruitt
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Crist	Jones	Sobel
Dean	Justice	Storms
Detert	King	Villalobos
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Oelrich	

Nays—None

Vote after roll call:

Yea—Constantine, Joyner

On motion by Senator Crist, by two-thirds vote **HB 7067** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Crist, by two-thirds vote—

HB 7067—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Florida Parole Commission without modification; repealing s. 947.045(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—a companion measure, was substituted for **SB 1092** and read the second time by title.

On motion by Senator Crist, by two-thirds vote **HB 7067** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Fasano	Peaden
Alexander	Gaetz	Pruitt
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Villalobos
Detert	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Oelrich	

Nays—None

On motion by Senator Crist, by two-thirds vote **HB 7075** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Crist, by two-thirds vote—

HB 7075—A bill to be entitled An act relating to trust funds; re-creating the Operating Trust Fund within the state courts system without modification; repealing s. 25.3844(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—a companion measure, was substituted for **SB 1106** and read the second time by title.

On motion by Senator Crist, by two-thirds vote **HB 7075** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Fasano	Peaden
Alexander	Gaetz	Pruitt
Altman	Garcia	Rich
Aronberg	Gardiner	Richter
Baker	Gelber	Ring
Bennett	Haridopolos	Siplin
Bullard	Hill	Smith
Constantine	Jones	Sobel
Crist	Joyner	Storms
Dean	Justice	Villalobos
Detert	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Oelrich	

Nays—None

On motion by Senator Crist, by two-thirds vote **HB 7063** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Crist, by two-thirds vote—

HB 7063—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Department of Corrections without modification; repealing s. 20.3151(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—a companion measure, was substituted for **SB 1108** and read the second time by title.

On motion by Senator Crist, by two-thirds vote **HB 7063** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	King
Alexander	Dockery	Lawson
Altman	Fasano	Lynn
Aronberg	Gaetz	Oelrich
Baker	Garcia	Peaden
Bennett	Gardiner	Pruitt
Bullard	Gelber	Rich
Constantine	Haridopolos	Richter
Crist	Hill	Ring
Dean	Jones	Siplin
Detert	Joyner	Smith
Deutch	Justice	Sobel

Storms Wilson
Villalobos Wise

Nays—None

On motion by Senator Crist, by two-thirds vote **HB 7065** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Crist, by two-thirds vote—

HB 7065—A bill to be entitled An act relating to trust funds; recreating the Administrative Trust Fund within the Department of Law Enforcement without modification; repealing s. 943.367(4), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—a companion measure, was substituted for **SB 1110** and read the second time by title.

On motion by Senator Crist, by two-thirds vote **HB 7065** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Altman	Garcia	Pruitt
Aronberg	Gardiner	Rich
Baker	Gelber	Richter
Bullard	Haridopolos	Ring
Constantine	Hill	Siplin
Crist	Jones	Smith
Dean	Joyner	Sobel
Detert	Justice	Storms
Deutch	King	Villalobos
Diaz de la Portilla	Lawson	Wilson
Dockery	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Bennett

On motion by Senator Fasano, by two-thirds vote **HB 7061** was withdrawn from the Committee on Transportation and Economic Development Appropriations.

On motion by Senator Fasano, by two-thirds vote—

HB 7061—A bill to be entitled An act relating to trust funds; recreating the Welfare Transition Trust Fund within the Department of Military Affairs without modification; repealing s. 250.175(5)(d), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—a companion measure, was substituted for **SB 1292** and read the second time by title.

On motion by Senator Fasano, by two-thirds vote **HB 7061** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Diaz de la Portilla
Alexander	Constantine	Dockery
Altman	Crist	Fasano
Aronberg	Dean	Gaetz
Baker	Detert	Garcia
Bennett	Deutch	Gardiner

Gelber	Lynn	Smith
Haridopolos	Oelrich	Sobel
Hill	Peaden	Storms
Jones	Pruitt	Villalobos
Joyner	Rich	Wilson
Justice	Richter	Wise
King	Ring	
Lawson	Siplin	

Nays—None

THE PRESIDENT PRESIDING

SPECIAL ORDER CALENDAR

On motion by Senator Justice—

CS for SB 198—A bill to be entitled An act relating to firefighters; providing for the creation of an official state Firefighter Memorial Flag; providing for the use of the flag; providing for the Division of State Fire Marshal of the Department of Financial Services to provide for the creation and distribution of the flag; providing for the adoption of rules; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 198** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for CS for SB 1062—A bill to be entitled An act relating to unemployment compensation; providing a short title; amending s. 443.036, F.S.; redefining the term “employee leasing company” to reflect reporting requirements imposed by the act; amending s. 443.1216, F.S.; requiring an employee leasing company to submit a report regarding its establishments to the Labor Market Statistics Center within the Agency for Workforce Innovation; providing reporting requirements; requiring the agency to adopt rules; providing definitions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1062** was placed on the calendar of Bills on Third Reading.

On motion by Senator Storms—

SB 1432—A bill to be entitled An act relating to insurance premiums; amending s. 627.902, F.S.; providing that certain provisions of state law do not apply to discounts when the premium for the entire policy term is paid at the inception of the term, as long as such discounts meet specified criteria; prohibiting such discounts from being considered related to or components of premium financing; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1432** was placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine—

SB 252—A bill to be entitled An act relating to local government; creating s. 112.3136, F.S.; specifying standards of conduct for officers and employees of entities serving as the chief administrative officer of a political subdivision; amending s. 112.317, F.S.; providing for penalties to be imposed against persons other than lobbyists or public officers and employers for violations of the Code of Ethics for Public Officers and Employees; amending s. 112.324, F.S.; providing for the Commission on Ethics to report to the Governor violations involving persons other than lobbyists or public officers and employees; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 252** was placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

CS for CS for SB 160—A bill to be entitled An act relating to criminal history record checks; defining the terms “independent youth athletic team,” “minor,” and “sports coach”; specifying what is included as a “sanctioning authority of an independent youth athletic team”; requiring the sanctioning authority of an independent youth athletic team to screen an applicant for sports coach through designated public websites maintained by the Department of Law Enforcement and the United States Department of Justice; requiring the sanctioning authority to disqualify any applicant from acting as a sports coach if that applicant appears on either registry; requiring the sanctioning authority to notify the applicant of his or her right to obtain a copy of the screening report; providing that an applicant who is disqualified from acting as a sports coach based on the screening may appeal to the sanctioning authority the accuracy and completeness of the screening report; providing that the sanctioning authority may place an applicant appealing his or her disqualification as a sports coach on probationary status pending resolution of the appeal; providing that a background screening in compliance with the federal Fair Credit Reporting Act satisfies screening provisions; requiring each sanctioning authority to sign an affidavit annually, under penalty of perjury, stating that all persons who have applied for a position as a sports coach of an independent youth athletic team under its jurisdiction have been screened; requiring a sanctioning authority to maintain the affidavit in its files and to provide a copy of the affidavit to anyone upon request; creating rebuttable presumptions in a civil action brought against a sanctioning authority in which it is alleged that the sanctioning authority was negligent in the hiring of a sports coach because of sexual misconduct committed by the sports coach; providing legislative intent encouraging sanctioning authorities for youth athletic teams to participate in the Volunteer and Employee Criminal History System as authorized by the National Child Protection Act and the laws of this state; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 160** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 408—A bill to be entitled An act relating to clinical laboratories; amending s. 440.102, F.S.; deleting the requirement that initial drug tests conducted pursuant to a drug-free workplace program be conducted by a licensed or certified laboratory; amending s. 483.181, F.S.; requiring clinical laboratories to accept human specimens submitted by advanced registered nurse practitioners; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 408** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

CS for CS for SB 552—A bill to be entitled An act relating to the use of prescribed pancreatic enzyme supplements; amending s. 1002.20, F.S.; authorizing certain K-12 students to use prescribed pancreatic enzyme supplements under certain circumstances; requiring the State Board of Education to adopt rules; providing for indemnification; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 552** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz—

CS for SB 574—A bill to be entitled An act relating to the purchase of prescription drugs; amending s. 499.003, F.S.; defining the term “qualifying practitioner” as it relates to the Florida Drug and Cosmetic Act; amending s. 499.01, F.S.; deleting provisions requiring a health care clinic establishment permit for the purchase of certain prescription drugs; conforming a cross-reference; amending s. 499.01211, F.S.; conforming a cross-reference; amending s. 499.03, F.S.; authorizing certain establishments to possess prescription drugs; creating s. 499.031, F.S.; establishing criteria for certain business entities to purchase and possess prescription drugs; requiring a qualifying practitioner at the establishment; requiring the registration of certain qualifying practitioners; assigning duties and responsibilities to a qualifying practitioner and business entity; providing for expiration of the registration of a qualifying practitioner and for renewal of the registration; requiring the Department of Health to establish an online registration system and post certain information related to qualifying practitioners on its website; providing additional grounds for discipline of a qualifying practitioner; providing recordkeeping requirements; amending s. 499.041, F.S.; deleting provisions requiring a fee for a health care clinic establishment permit to conform to changes made by the act; requiring a fee to register as a qualifying practitioner; authorizing a nonrefundable application fee for withdrawn applications or applications that become void; amending s. 499.05, F.S.; conforming cross-references; amending s. 400.9935, F.S.; assigning responsibilities to a medical director who acts as the qualifying practitioner of a licensed health care clinic; amending ss. 409.9201 and 465.0265, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Senator Gaetz moved the following amendments which were adopted:

Amendment 1 (450846)—Delete lines 278 and 279 and insert:

entity by a:

(a) *Health care practitioner as defined in s. 456.001, as a part of the renewal of the practitioner’s professional license; or*

(b) *Veterinarian through an online registration system.*

Amendment 2 (389782)—Delete line 300 and insert:

care clinic license number,

in order to comply with the requirement under s. 499.0121(6)(a)2. that records include the state license, permit, or registration number of the person authorized to purchase prescription drugs.

Amendment 3 (269606) (with title amendment)—Delete lines 405-414 and insert:

Section 7. Subsection (1) of section 499.05, Florida Statutes, is amended to read:

499.05 Rules.—

(1) The department shall adopt rules to implement and enforce this part with respect to:

(a) The definition of terms used in this part, and used in the rules adopted under this part, when the use of the term is not its usual and ordinary meaning.

(b) Labeling requirements for drugs, devices, and cosmetics.

(c) The establishment of fees authorized in this part.

(d) The identification of permits that require an initial application and onsite inspection or other prerequisites for permitting which demonstrate that the establishment and person are in compliance with the requirements of this part.

(e) The application processes and forms for product registration.

(f) Procedures for requesting and issuing certificates of free sale.

(g) Inspections and investigations conducted under s. 499.051, and the identification of information claimed to be a trade secret and exempt from the public records law as provided in s. 499.051(7).

(h) The establishment of a range of penalties, as provided in s. 499.066; requirements for notifying persons of the potential impact of a violation of this part; and a process for the uncontested settlement of alleged violations.

(i) Additional conditions that qualify as an emergency medical reason under s. 499.003(54)(b)2 ~~s. 499.003(53)(b)2~~.

(j) Procedures and forms relating to the pedigree paper requirement of s. 499.01212.

(k) The protection of the public health, safety, and welfare regarding good manufacturing practices that manufacturers and repackagers must follow to ensure the safety of the products.

(l) Information required from each retail establishment pursuant to s. 499.012(3), including requirements for prescriptions or orders.

(m) The recordkeeping, storage, and handling with respect to each of the distributions of prescription drugs specified in s. 499.003(54)(a)-(d) ~~s. 499.003(53)(a)-(d)~~.

(n) Alternatives to compliance with s. 499.01212 for a prescription drug in the inventory of a permitted prescription drug wholesale distributor as of June 30, 2006, and the return of a prescription drug purchased prior to July 1, 2006. The department may specify time limits for such alternatives.

(o) *Record retention requirements and procedures for registering and renewing the registration of a qualifying practitioner related to a business entity purchasing and possessing prescription drugs under s. 499.031.*

And the title is amended as follows:

Delete lines 32 and 33 and insert:

become void; amending s. 499.05, F.S.; requiring the department to adopt rules regarding record retention requirements and procedures for registering and renewing the registration of certain practitioners; conforming cross-references; amending s. 400.9935, F.S.;

Pursuant to Rule 4.19, **CS for SB 574** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

CS for CS for SB 606—A bill to be entitled An act relating to the Florida Prepaid College Program; amending s. 1009.98, F.S.; revising provisions relating to the transfer of benefits received from the Florida Prepaid College Program to private and out-of-state colleges and universities and to career centers; repealing s. 744.1083(10), F.S., relating to the authorization of certain colleges or universities to register as a professional guardian; providing an effective date.

—was read the second time by title.

Senator Wise moved the following amendment which was adopted:

Amendment 1 (275934) (with title amendment)—Delete lines 62 and 63 and insert:

Section 2. Subsection (10) of section 744.1083, Florida Statutes, is amended to read:

744.1083 Professional guardian registration.—

(10) A state college or university or an independent college or university that is located and chartered in Florida, that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools, and that confers degrees as defined in s. 1005.02(7) ~~described in s. 1009.98(3)(a)~~, may, but is not required to, register as a professional guardian under this section. If a state college or university or independent college or university elects to register as a professional

guardian under this subsection, the requirements of subsections (3) and (4) do not apply and the registration must include only the name, address, and employer identification number of the registrant.

And the title is amended as follows:

Delete lines 7 and 8 and insert:

to career centers; amending s. 744.1083, F.S.; revising provisions relating to the authorization of certain colleges or

Pursuant to Rule 4.19, **CS for CS for SB 606** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Oelrich—

CS for SB 620—A bill to be entitled An act relating to health facilities; amending s. 154.205, F.S.; redefining the term “health facility” for the purpose of allowing additional types of health facilities to receive assistance from a health facilities authority; providing an effective date.

—was read the second time by title.

Senator Oelrich moved the following amendment which was adopted:

Amendment 1 (418182)—Delete lines 23-28 and insert:

(e) *Services for the mentally ill under chapter 394;*

(f) *Assisted living services in accordance with chapter 429; or*

(g) *Hospice services in accordance with chapter 400.*

The term also includes any private corporation organized not for profit which offers independent living facilities and services as part of a retirement community that provides nursing home care services or assisted living services on the same campus ~~hospital or nursing home care services in accordance with chapter 395 or chapter 400 or life care services in accordance with chapter 651, and also includes facilities licensed under chapters 393 and 394.~~

Pursuant to Rule 4.19, **CS for SB 620** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz—

CS for SB 702—A bill to be entitled An act relating to access to health care; amending s. 624.91, F.S.; expanding the membership of the board of directors of the Florida Healthy Kids Corporation; amending s. 636.035, F.S.; specifying certain provider arrangement contract prohibitions or restrictions; prohibiting prepaid limited health service organizations from specifying certain contract continuation or renewal conditions; providing for voiding of certain contracts; specifying absence of liability for certain criminal penalties; amending s. 641.315, F.S.; providing for application to health maintenance organizations of the prohibition against specifying certain contract continuation or renewal conditions; amending s. 766.1116, F.S.; revising time requirements for a health care practitioner's waiver of license renewal fees and continuing education requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 702** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 766—A bill to be entitled An act relating to anatomical gifts; amending s. 765.511, F.S.; providing additional definitions; amending s. 765.512, F.S.; conforming terms; amending s. 765.513, F.S.; revising the list of donees that may accept anatomical gifts and the purposes for which such gifts may be used; amending ss. 765.514, 765.515, 765.5155, and 765.51551, F.S.; conforming terms; amending s. 765.516, F.S.; revising provisions relating to a donor's amendment or revocation of an anatomical gift; amending s. 765.517, F.S.; revising provisions relating to a donee's use of an anatomical gift at the time of the donor's death; providing liability protection for the person making a gift and for the donor's estate; amending s. 765.521, F.S.; conforming

terms; amending s. 765.522, F.S.; providing that the laws of this state govern the interpretation of a valid document of gift, and that a document of gift is presumed to be valid; amending ss. 765.53, 765.541, 765.542, 765.543, 765.544, and 765.545, F.S.; conforming terms; creating s. 765.547, F.S.; requiring medical examiners and procurement organizations to cooperate and maximize opportunities for organ donations; authorizing the Florida Medical Examiners Commission to adopt rules; amending ss. 408.802 and 408.820, F.S.; conforming terms; providing an effective date.

—was read the second time by title.

On motion by Senator Oelrich, further consideration of **CS for CS for SB 766** was deferred.

On motion by Senator Joyner—

CS for SB 1018—A bill to be entitled An act relating to guardians ad litem; amending s. 61.402, F.S.; authorizing a person certified by a not-for-profit legal aid organization to serve as a guardian ad litem in a dissolution of marriage proceeding that does not involve child abuse, abandonment, or neglect; requiring that such person undergo a security background investigation and undergo training in a program developed by The Florida Bar; providing a penalty for failing to disclose a material fact in an application to act as a guardian ad litem; providing an effective date.

—was read the second time by title.

Senator Joyner moved the following amendment which was adopted:

Amendment 1 (631300) (with title amendment)—Delete lines 27-38 and insert:

(2)(a) Prior to certifying a guardian ad litem pursuant to paragraph (1)(b) ~~to be appointed under this chapter~~, the *not-for-profit legal aid organization Guardian Ad Litem Program* must:

1. Conduct a security background investigation as described ~~provided~~ in s. 39.821 for which the *not-for-profit legal aid organization has the sole discretion in determining whether to certify a person based on his or her security background investigation; and-*

2. Provide training using the uniform objective statewide training program for guardians ad litem developed by The Florida Bar.

(b) *The security background investigation and the training program requirements as provided in this subsection must be paid for by the not-for-profit legal aid organization or the person seeking certification as a guardian ad litem through the not-for-profit legal aid organization.*

And the title is amended as follows:

Delete line 10 and insert:

Bar; providing that the not-for-profit legal aid organization has the sole discretion in determining whether to certify a person based on his or her security background investigation; specifying responsibility for the payment of costs of the security background investigation and training requirements; providing a penalty for failing to disclose a

Pursuant to Rule 4.19, **CS for SB 1018** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Oelrich, the Senate resumed consideration of—

CS for CS for SB 766—A bill to be entitled An act relating to anatomical gifts; amending s. 765.511, F.S.; providing additional definitions; amending s. 765.512, F.S.; conforming terms; amending s. 765.513, F.S.; revising the list of donees that may accept anatomical gifts and the purposes for which such gifts may be used; amending ss. 765.514, 765.515, 765.5155, and 765.51551, F.S.; conforming terms; amending s. 765.516, F.S.; revising provisions relating to a donor's amendment or revocation of an anatomical gift; amending s. 765.517, F.S.; revising provisions relating to a donee's use of an anatomical gift at the time of the donor's death; providing liability protection for the person making a

gift and for the donor's estate; amending s. 765.521, F.S.; conforming terms; amending s. 765.522, F.S.; providing that the laws of this state govern the interpretation of a valid document of gift, and that a document of gift is presumed to be valid; amending ss. 765.53, 765.541, 765.542, 765.543, 765.544, and 765.545, F.S.; conforming terms; creating s. 765.547, F.S.; requiring medical examiners and procurement organizations to cooperate and maximize opportunities for organ donations; authorizing the Florida Medical Examiners Commission to adopt rules; amending ss. 408.802 and 408.820, F.S.; conforming terms; providing an effective date.

—which was previously considered this day.

Pursuant to Rule 4.19, **CS for CS for SB 766** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

SB 1248—A bill to be entitled An act relating to public K-12 instructional materials; amending s. 1006.28, F.S.; deleting a provision that requires a public school principal to collect 50 to 75 percent of a textbook's purchase price from a student who has lost, destroyed, or damaged a textbook that has been in use for more than 1 year; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1248** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 1312—A bill to be entitled An act relating to sexual battery; creating s. 794.052, F.S.; requiring each law enforcement officer who investigates an alleged sexual battery incident to assist the victim in obtaining medical treatment if medical treatment is necessary, a forensic examination, and crisis-intervention services from a certified rape crisis center; requiring the law enforcement officer to advise the victim that he or she may contact a certified rape crisis center for services; requiring the law enforcement officer to immediately notify the victim of the legal rights and remedies available to a victim of sexual battery; directing that the notice of rights and remedies be written on a standard notice form developed and distributed by the Florida Council Against Sexual Violence and the Department of Law Enforcement; requiring the notice to include certain information; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1312** was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Garcia, by two-thirds vote **SB 914** and **SB 2194** were withdrawn from committees of reference and further consideration.

On motions by Senator Alexander, by two-thirds vote **CS for SB 2108** was withdrawn from the Committee on Criminal and Civil Justice Appropriations; and **CS for SB 2574** was withdrawn from the Committee on General Government Appropriations.

MOTIONS

On motion by Senator Alexander, Rule 7.1 was waived, and the amendment deadlines and policies included in the memorandum distributed by the Policy and Steering Committee on Ways and Means for committees' and Senate consideration of proposed appropriations bills and implementing bills were adopted.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Villalobos, the rules were waived and the Policy and Steering Committee on Ways and Means was granted permission to meet April 7th from 1:30 p.m. until 8:00 p.m.

REPORTS OF COMMITTEES

The Policy and Steering Committee on Commerce and Industry submits the following bills to be placed on the Special Order Calendar for Thursday, April 2, 2009: CS for SB 198, CS for CS for SB 1062, SB 1432.

Respectfully submitted,
Don Gaetz, Chair

The Policy and Steering Committee on Governmental Operations submits the following bill to be placed on the Special Order Calendar for Thursday, April 2, 2009: SB 252.

Respectfully submitted,
Mike Haridopolos, Chair

The Policy and Steering Committee on Social Responsibility submits the following bills to be placed on the Special Order Calendar for Thursday, April 2, 2009: CS for CS for SB 160, CS for SB 408, CS for CS for SB 552, CS for SB 574, CS for CS for SB 606, CS for SB 620, CS for SB 702, CS for CS for SB 766, CS for SB 1018, SB 1248, CS for SB 1312.

Respectfully submitted,
Ken Pruitt, Chair

The Committee on Health Regulation recommends the following pass: SB 242 with 1 amendment

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 1406 with 1 amendment

The bill was referred to the Committee on Commerce under the original reference.

The Committee on Commerce recommends the following pass: SB 1844 with 2 amendments

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 2060

The Committee on Health Regulation recommends the following pass: SB 2082 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Health Regulation recommends the following pass: SB 984 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1114 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 2218 with 2 amendments

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Commerce recommends the following pass: SB 392; SB 2270

The Committee on Judiciary recommends the following pass: CS for SB 1024; SB 1140; SB 2250

The Committee on Transportation recommends the following pass: CS for SB 2312

The bills contained in the foregoing reports were referred to the Committee on Finance and Tax under the original reference.

The Committee on Commerce recommends the following pass: SB 1480

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 2656

The bills contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 2652

The Committee on Criminal Justice recommends the following pass: SB 2276 with 2 amendments

The Committee on Judiciary recommends the following pass: SB 2158 with 1 amendment; CS for SB 2240; SB 2246

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 2296

The Committee on Commerce recommends the following pass: CS for SB 1144

The bills contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Higher Education recommends the following pass: CS for SB 926

The bill was referred to the Committee on Higher Education Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: CS for SB 660 with 1 amendment

The Committee on Commerce recommends the following pass: SB 872; SB 2074

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 1126

The Committee on Health Regulation recommends the following pass: SB 1866

The Committee on Regulated Industries recommends the following pass: SB 2064

The Committee on Transportation recommends the following pass: SB 906 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 712

The bill was referred to the Policy and Steering Committee on Ways and Means under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 1574

The bill was referred to the Committee on Rules under the original reference.

The Committee on Commerce recommends the following pass: SB 856

The bill was referred to the Committee on Transportation under the original reference.

The Committee on Commerce recommends the following pass: CS for SB 2572

The bill was referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on General Government Appropriations recommends the following pass: CS for SB 742

The bill was placed on the Calendar.

The Committee on Health Regulation recommends a committee substitute for the following: SB 2422

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Finance and Tax recommends a committee substitute for the following: SB 2546

The bill with committee substitute attached was referred to the Committee on Commerce under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1054

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 488

The Committee on Health Regulation recommends a committee substitute for the following: SB 2040

The Committee on Regulated Industries recommends a committee substitute for the following: SB 674 and SB 1422

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 2094; SB 2128

The bills with committee substitute attached were referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 910

The Committee on Health Regulation recommends a committee substitute for the following: SB 2658

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 2684

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Criminal Justice under the original reference.

The Committee on Education Pre-K - 12 recommends committee substitutes for the following: SB 1978; SB 2482

The Committee on Finance and Tax recommends a committee substitute for the following: CS for SB 1310

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 2306

The bill with committee substitute attached was referred to the Committee on Finance and Tax under the original reference.

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 732

The bill with committee substitute attached was referred to the Committee on General Government Appropriations under the original reference.

The Committee on Criminal and Civil Justice Appropriations recommends committee substitutes for the following: SB 1716; SB 1718; SB 1720; SB 1722; SB 1724; SB 1726; SB 1728

The Committee on Education Pre-K - 12 Appropriations recommends a committee substitute for the following: SB 1676

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 1898; SB 2636

The Committee on General Government Appropriations recommends committee substitutes for the following: SB 1738; SB 1740; SB 1742; SB 1744; SB 1748; SB 1750; SB 1754; SB 1758

The Committee on Higher Education Appropriations recommends a committee substitute for the following: SB 1696

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: SB 1776; SB 1778; SB 1780; SB 1782; SB 1786

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: CS for CS for SB 462; CS for SB 770; SB 1278

The Committee on Health Regulation recommends committee substitutes for the following: SB 578; SB 1926

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Criminal Justice recommends committee substitutes for the following: SB 340; SB 596; SB 1322; CS for SB 1986; SB 2680

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 162

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Finance and Tax recommends a committee substitute for the following: SJR 1302

The Committee on General Government Appropriations recommends a committee substitute for the following: SB 1104

The Committee on Health Regulation recommends a committee substitute for the following: CS for SB 1022

The Committee on Higher Education Appropriations recommends a committee substitute for the following: CS for SB 762

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 440

The bill with committee substitute attached was referred to the Committee on Rules under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 1552

The Committee on General Government Appropriations recommends a committee substitute for the following: CS for SB 1012

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Governmental Oversight and Accountability; and Health Regulation; and Senator Ring—

CS for CS for SB 162—A bill to be entitled An act relating to electronic health records; amending s. 395.3025, F.S.; expanding access to a patient's health records in order to facilitate the exchange of data between certain health care facility personnel, practitioners, and providers and attending physicians; creating s. 408.051, F.S.; creating the "Florida Electronic Health Records Exchange Act"; providing definitions; authorizing the release of certain health records under emergency medical conditions without the consent of the patient or the patient representative; providing for immunity from civil liability; providing duties of the Agency for Health Care Administration with regard to the availability of specified information on the agency's Internet website; requiring the agency to develop and implement a universal patient authorization form in paper and electronic formats for the release of certain health records; providing procedures for use of the form; providing penalties; providing for certain compensation and attorney's fees and costs; creating s. 408.0512, F.S.; requiring the Agency for Health Care Administration to operate an electronic health record technology loan fund, subject to a specific appropriation; requiring the agency to adopt rules related to standard terms and conditions for the loan program; amending s. 409.916, F.S.; requiring that the agency deposit into the Grants and Donations Trust Fund private donations provided for the purpose of funding a certified electronic health record technology loan fund; amending s. 483.181, F.S.; expanding access to laboratory reports in

order to facilitate the exchange of data between certain health care practitioners and providers; providing an effective date.

By the Committee on Criminal Justice; and Senator Ring—

CS for SB 340—A bill to be entitled An act relating to sexual offenders and predators; amending s. 257.12, F.S.; encouraging all public libraries to implement an Internet safety education program for children and adults; providing minimum requirements for the program; requiring libraries to annually report to the Division of Library and Information Services of the Department of State the number of participants who complete the program; requiring that the division adopt rules to award additional points to grant applicants implementing such a program; amending ss. 775.21, 943.0435, 944.606, 944.607, and 985.481, F.S.; requiring sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration process; correcting cross-references to apply exclusions from designation as a sexual offender or predator to owners or operators of computer services rather than to persons traveling to meet a minor; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Health Regulation; and Senator Fasano—

CS for CS for SB 440—A bill to be entitled An act relating to public records; creating s. 893.0551, F.S.; exempting from public-records requirements for information and records reported to the Department of Health under the electronic prescription drug monitoring program for the monitoring and dispensing of prescriptions of controlled substances listed in Schedules II-IV; authorizing certain persons and entities access to information identifying patients, practitioners, or pharmacists; providing guidelines for the use of such information and penalties for violations; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a finding of public necessity; providing a contingent effective date.

By the Committees on Governmental Oversight and Accountability; Judiciary; and Health Regulation; and Senator Fasano—

CS for CS for CS for SB 462—A bill to be entitled An act relating to prescription drugs; creating s. 893.055, F.S.; providing definitions; requiring the Department of Health to establish a comprehensive electronic database system to monitor the prescribing and dispensing of certain controlled substances; requiring specified prescribing and dispensing information to be reported to the electronic database system; requiring the department, in conjunction with specified organizations, to adopt by rule a reasonable-person standard appropriate for the prescription drug monitoring program; providing reporting requirements; providing a reporting period; providing exemptions from participation in the system; authorizing the department to establish when to suspend and when to resume reporting requirements during declared emergencies; requiring all nonexempt, dispensing pharmacists and practitioners to submit information in a specified format; providing that the cost to the dispenser in submitting the required information may not be material or extraordinary; specifying costs that are not material or extraordinary; providing access to information reported to the system under certain circumstances; providing for the use of data for specified purposes; providing requirements for verification of information requested; requiring data transmission to comply with state and federal privacy and security laws; authorizing an agency or person to maintain the data for a specified period if the data is pertinent to ongoing health care or an active law enforcement investigation or prosecution; requiring the annual reporting of certain performance measures to the Governor and Legislature; providing performance measure criteria; providing criminal penalties for violations; requiring that all costs incurred by the department for the program be funded through federal grants or available private funding sources; providing requirements for seeking funding and procuring goods or services; authorizing the Office of Drug Control, in coordination with the department, to establish a direct-support organization; providing a definition; providing for a board of directors appointed by the director of the office; requiring the director to provide guidance to the board regarding acceptance of moneys from appropriate sources; requiring the direct-support organization to operate under written contract with the office; providing contract requirements; providing requirements for the direct-support organization's collecting, ex-

pending, and providing of funds; requiring department approval of activities of the direct-support organization; authorizing the office to adopt rules for the use of certain facilities and services; providing for audits; prohibiting the direct-support organization from exercising certain powers; establishing that a prescriber or dispenser is not liable for good faith use of the department-provided controlled substance prescription information of a patient; requiring the department, in collaboration with the office, to study the feasibility of enhancing the prescription drug monitoring program for specified purposes to the extent that funding is provided for such purpose; requiring certain persons to present specified identification in order to obtain controlled substances; providing for recordkeeping for certain transactions; requiring the Agency for Health Care Administration to continue implementation of electronic prescribing and an electronic prescribing clearinghouse; requiring the department to adopt rules; establishing a Program Implementation and Oversight Task Force; providing for membership; providing for reimbursement of certain member expenses; providing for meetings; providing the purpose of the task force; requiring reports to the Governor and Legislature; providing for the creation, membership, and duties of subcommittees; providing for a final report and the termination of the task force; amending ss. 458.309 and 459.005, F.S.; requiring certain physicians who engage in pain management to register their clinics with the department; requiring the department to inspect each facility; providing for exceptions; requiring the physician seeking to register the clinic to pay the costs of registration and inspection or accreditation; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt rules setting forth standards of practice for certain physicians who engage in pain management; providing criteria for the rules; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Justice—

CS for SB 488—A bill to be entitled An act relating to public access to beaches; creating part V of ch. 161, F.S.; providing definitions; providing a declaration of public policy and effect; prohibiting persons from restricting access; prohibiting obstruction of beach access except as otherwise authorized by law; prohibiting the use of signs declaring that a public beach is private property; providing that a violation of such prohibition is a first-degree misdemeanor; providing a penalty; prohibiting a governmental entity from placing an obstruction upon or limiting public access to a public beach except under certain conditions; providing for the use of prima facie evidence in suits to exclude the public from accessing and using a sandy beach; providing an effective date.

By the Committee on Health Regulation; and Senators Gaetz, Peaden, and Rich—

CS for SB 578—A bill to be entitled An act relating to state pharmacy services; creating the Pharmacy and Therapeutic Advisory Council within the Executive Office of the Governor; providing duties of the council; providing for the appointment and qualification of members; providing for the use of subject-matter experts when necessary; providing requirements for voting and a quorum; providing for quarterly meetings of the council; providing for staffing; providing for reimbursement of per diem and travel expenses for members of the council; amending s. 381.0203, F.S.; requiring certain state agencies to purchase drugs through the statewide purchasing contract administered by the Department of Health; providing an exception; amending s. 499.003, F.S.; excluding from the definition of “wholesale distribution” certain activities of state agencies; providing an effective date.

By the Committee on Criminal Justice; and Senators Rich and Altman—

CS for SB 596—A bill to be entitled An act relating to residential tenancies; creating s. 83.683, F.S.; providing definitions; prohibiting landlords from discriminating against or retaliating against victims of domestic violence, dating violence, repeat violence, or sexual violence; authorizing certain victims to terminate a rental agreement before the end of the rental period; limiting damages for early termination; requiring a landlord to change a lock or authorize the tenant to change a lock under certain circumstances; requiring the tenant to bear the cost of changing a lock; requiring that the tenant provide a key to a changed lock to the landlord; prohibiting a landlord from providing access to a

dwelling unit to a tenant who has been excluded from the dwelling unit by court order; providing a landlord with immunity for certain actions; prohibiting waiver of certain statutory rights; providing for application; providing an effective date.

By the Committee on Regulated Industries; and Senators Constantine and Baker—

CS for SB's 674 and 1422—A bill to be entitled An act relating to construction contracting; amending s. 489.103, F.S.; requiring that owners of property acting as their own contractor and providing direct, onsite supervision of all work not performed by licensed contractors read and sign a disclosure statement before a permit is issued; requiring that the disclosure statement contain certain statements and provisions; amending ss. 489.128 and 489.532, F.S.; providing that certain individuals or business organizations may not be considered unlicensed for failure to have a required local jurisdiction license; providing for retroactive application; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Smith—

CS for SB 732—A bill to be entitled An act relating to surplus public funds; amending ss. 17.57 and 218.415, F.S.; requiring that the Chief Financial Officer and local governments deposit surplus funds in financial deposit instruments insured by the Federal Deposit Insurance Corporation rather than in certificates of deposit; providing an effective date.

By the Committees on Higher Education Appropriations; and Higher Education; and Senators Pruitt and King—

CS for CS for SB 762—A bill to be entitled An act relating to state university tuition and fees; amending s. 216.136, F.S.; requiring the Education Estimating Conference to develop information relating to the national average of tuition and fees; amending s. 1009.01, F.S.; revising the definition of the term “tuition differential”; amending s. 1009.24, F.S.; revising provisions relating to the use of the student financial aid fee; deleting obsolete provisions; revising provisions relating to the establishment of a tuition differential; providing requirements for the assessment and expenditure of a tuition differential; providing requirements for a university board of trustees to submit a proposal to the Board of Governors to implement a tuition differential; requiring the Board of Governors’ review and approval of a proposal; requiring the Board of Governors to report specified information annually to the Legislature and the Governor; providing for application; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Children, Families, and Elder Affairs; and Senator Fasano—

CS for CS for SB 770—A bill to be entitled An act relating to area agencies on aging; amending s. 20.41, F.S.; revising provisions relating to the Department of Elderly Affairs; deleting references to the boards of area agencies on aging; designating area agencies on aging as non-governmental not-for-profit corporations; amending s. 430.203, F.S.; extending the period of designation as a lead agency; requiring that each area agency on aging, rather than the department, develop request for proposals for a community care for the elderly lead agency; providing for the development of a dispute resolution mechanism relating to the request-for-proposal process developed by the area agencies; amending s. 430.2053, F.S.; conforming cross-references; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Wilson—

CS for SB 910—A bill to be entitled An act relating to criminal justice; providing legislative intent; requiring state agencies and regulatory boards to prepare reports that identify and evaluate restrictions on licensing and employment; amending s. 112.011, F.S.; prohibiting state agencies from denying an application for a license, permit, certificate, or employment based on a person’s lack of civil rights; providing an exception; amending s. 768.096, F.S.; requiring an employer to review the

results of a criminal background investigation; requiring an employer not to place an employee who has a criminal record in a position where conduct similar to the employee's past criminal conduct would be facilitated; requiring an employer to determine that the criminal background investigation does not demonstrate that the employee is unsuitable for the particular work to be performed or the context of the employment in general; amending s. 943.0585, F.S.; clarifying under what circumstances a person may legally deny the existence of an expunged criminal history record; authorizing the disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; requiring clerks of the court to post information relating to procedures to seal or expunge criminal history records on the clerk's website; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny the existence of a sealed criminal history record; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged; providing an effective date.

By the Committees on General Government Appropriations; and Environmental Preservation and Conservation; and Senator Constantine—

CS for CS for SB 1012—A bill to be entitled An act relating to state lands; amending s. 253.01, F.S.; authorizing the use of moneys in the Internal Improvement Trust Fund for the protection and restoration of water resources; amending s. 253.03, F.S.; providing rulemaking authority to the Board of Trustees of the Internal Improvement Trust Fund with respect to the uses of sovereignty submerged lands; defining lease types; providing for fees and lease rates; allowing for special events; detailing minimum compliance standards; amending s. 253.04, F.S.; providing for the assessment of fines; amending s. 895.09, F.S.; conforming a cross-reference; providing an effective date.

By the Committees on Health Regulation; and Banking and Insurance; and Senators Altman, Fasano, Detert, Rich, Hill, and Siplin—

CS for CS for SB 1022—A bill to be entitled An act relating to Medicare; amending s. 627.6741, F.S.; requiring that insurers issuing Medicare supplement policies in this state offer the opportunity to enroll in a Medicare supplement policy to certain individuals having a disability or end-stage renal disease; permitting insurers offering Medicare supplement policies to effect a one-time rate schedule change; authorizing insurers to propose a rate adjustment that considers the experience of policies or certificates for persons younger than 65 years of age; establishing credibility criteria for the rate adjustment; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Crist—

CS for SB 1054—A bill to be entitled An act relating to homelessness; amending s. 420.507, F.S.; conforming a cross-reference; amending s. 420.621, F.S.; revising, providing, and deleting definitions; amending s. 420.622, F.S.; increasing and revising membership on the Council on Homelessness; removing a member from an obsolete organization; correcting the name of a member organization on the council; revising the date of an annual report; creating s. 420.6275, F.S.; creating the Housing First program; providing legislative findings and intent; providing methodology; providing components of the program; providing that local continuums of care that adopt the program be given funding priority; creating s. 420.628, F.S.; providing legislative findings and intent relating to young adults leaving foster care; amending s. 1003.01, F.S.; revising a definition; amending ss. 1003.21 and 1003.22, F.S.; conforming terminology; providing an effective date.

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

CS for SB 1104—A bill to be entitled An act relating to art in public buildings; repealing s. 255.043, F.S., relating to a requirement that a specified portion of appropriations for new construction of state buildings be used for art; providing for the future reenactment of s. 255.043, F.S., and the reversion of the statutory text to that in effect before the

repeal; prohibiting expenditures for public art during the interim without prior legislative approval; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Altman—

CS for SB 1278—A bill to be entitled An act relating to prepaid services for parents of children with developmental disabilities; creating the Prepaid Services for Parents of Children with Developmental Disabilities Study Group to evaluate the creation of a prepaid service plan for children with disabilities; providing for membership; providing for administrative support; providing for the duties of the study group; providing for per diem and travel expenses for members; requiring the study group to present a final report to the Legislature; providing an effective date.

By the Committee on Finance and Tax; and Senators Gardiner, Deutch, and Baker—

CS for SJR 1302—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution to provide an additional property tax exemption for members of the military who receive a homestead exemption and who were deployed outside the United States during the preceding year.

By the Committees on Finance and Tax; and Education Pre-K - 12; and Senators Gardiner, Fasano, Oelrich, Altman, Bennett, Haridopolos, Wise, King, Storms, Dean, Siplin, Baker, and Lawson—

CS for CS for SB 1310—A bill to be entitled An act relating to tax credits for contributions to nonprofit scholarship-funding organizations; amending s. 220.186, F.S.; providing that the credit authorized under the Florida Tax Credit Scholarship Program does not apply to the credit for the Florida alternative minimum tax; amending s. 220.187, F.S.; defining the term "direct certification list"; expanding the Corporate Income Tax Credit Scholarship Program to include insurance premium tax credits; revising credits for contributions to nonprofit scholarship-funding organizations; providing that a taxpayer eligible to receive a credit against the insurance premium tax is not eligible to receive a credit against the corporate income tax; imposing an additional requirement on the school districts; specifying school district tax credit scholarship notification requirements and limitations; conforming cross-references; creating s. 624.51055, F.S.; providing for credits against the insurance premium tax for contributions to certain eligible nonprofit scholarship-funding organizations; providing application; amending ss. 1002.20, 1002.23, 1002.39, and 1002.421, F.S.; conforming provisions to changes made by the act; authorizing certain insurers that made past contributions to the Tax Credit Scholarship Program to claim the credits against future corporate income tax liability; requiring the insurer to apply to the Department of Revenue for the tax credits; providing for severability; providing an effective date.

By the Committee on Criminal Justice; and Senator Deutch—

CS for SB 1322—A bill to be entitled An act relating to the use of deadly force; amending s. 776.06, F.S.; defining the term "less-lethal munition" to include a dart-firing stun gun that is designed to stun, temporarily incapacitate, or cause temporary discomfort to a person; providing an effective date.

By the Committees on Banking and Insurance; and Judiciary; and Senator Bennett—

CS for CS for SB 1552—A bill to be entitled An act relating to lis pendens; amending s. 48.23, F.S.; permitting property to be sold exempt from claims asserted in an action when the lis pendens has expired or been withdrawn or discharged; requiring a notice of lis pendens to include the date of the action or the case number of the action; extending the time in which the holder of an unrecorded interest or lien may intervene in a pending action; providing for the control and discharge of a lis pendens that no longer affects the property; providing an effective date.

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

CS for SB 1676—A bill to be entitled An act relating to education funding; amending s. 1001.20, F.S.; requiring that the Office of Technology and Information Services within the Office of the Commissioner of Education assist school districts in securing Internet access and telecommunications services that are eligible for funding under the Schools and Libraries Program of the federal Universal Service Fund; creating s. 1001.271, F.S.; requiring that the Commissioner of Education purchase the nondiscounted portion of Internet access services for the Florida Information Resource Network; requiring that each user of the network identify the source of funds in its requisition; amending s. 1001.28, F.S.; revising the Department of Education's duties regarding distance learning; amending s. 1001.395, F.S.; requiring that the salary of district school board members be the same amount as the annual calculation or the salary of members of the Legislature, whichever is less, for a specified period; amending s. 1001.42, F.S.; clarifying provisions authorizing the payment of earned leave and benefits accrued by a district school board employee before his or her employment contract expires; amending s. 1001.451, F.S.; deleting certain dates relating to the amount of funding distributed to each school district and eligible member of a regional consortium service organization; amending s. 1001.47, F.S.; authorizing elected district school superintendents to reduce their salary rates on a voluntary basis; requiring that each elected district school superintendent's salary be reduced by 5 percent for the 2009-2010 fiscal year; amending s. 1001.50, F.S.; clarifying provisions authorizing the payment of earned leave and benefits accrued by a district school superintendent before his or her employment contract terminates; limiting the amount of remuneration that a district school superintendent receives annually from state funds; providing a definition for the term "remuneration"; limiting the use of the superintendent's compensation in calculating benefits under ch. 121, F.S.; encouraging district school boards and superintendents to review the superintendent's annual remuneration for the 2009-2010 fiscal year and mutually agree to at least a 5 percent reduction; amending s. 1002.33, F.S.; requiring that a charter school comply with the class-size requirements; amending s. 1002.37, F.S.; redefining the definition of the term "full-time equivalent student" as it relates to funding for the Florida Virtual School and virtual instruction; amending s. 1002.45, F.S.; conforming provisions to changes made by the act; amending s. 1002.71, F.S.; revising provisions relating to the funding of prekindergarten programs; amending s. 1003.03, F.S.; extending dates relating to the calculation of the number of students for purposes of complying with the maximum-class-size requirement; providing duties for the Department of Education if the department determines that the number of students assigned to any individual class exceeds the class size maximum; providing for the reduction of the class-size-reduction operating categorical allocation under certain circumstances; requiring that the department prepare a simulated calculation; amending s. 1006.06, F.S.; revising provisions relating to school breakfast programs to include state allocations; amending s. 1006.28, F.S.; clarifying the definition of the term "adequate instructional materials"; amending s. 1006.36, F.S.; extending the term of adoption for instructional materials; amending s. 1006.40, F.S.; conforming provisions to changes made by the act; amending s. 1008.29, F.S.; requiring that the State Board of Education adopt rules establishing fees for the administration of the college-level communications and mathematics skills examination to public postsecondary students; amending s. 1008.41, F.S.; authorizing rather than requiring the Commissioner of Education to employ the Florida Information Resource Network to perform certain functions relating to workforce education; creating s. 1010.06, F.S.; prohibiting the Division of Public Schools within the Department of Education from using state funds appropriated by the Legislature to pay indirect cost to a university, community college, school district, or other entity; amending s. 1010.11, F.S.; authorizing each district school board, community college board of trustees, and university board of trustees to electronically transfer funds for payment; amending s. 1011.09, F.S.; prohibiting a district school board from using funds for out-of-state travel, cellular phones, cellular phone service, personal digital assistants, or any other mobile wireless communication device or service through any means, unless specifically approved by the district school board; amending s. 1011.18, F.S.; authorizing a district school superintendent to transfer funds from a district school depository to pay expenses, expenditures, or other disbursements if proper documentation is provided; amending s. 1011.60, F.S.; revising the minimum requirements for the Florida Education Finance Program relating to the term of operation; amending s. 1011.61, F.S.; redefining the term "full-time

equivalent student"; amending s. 1011.62, F.S.; requiring that a student who is enrolled in study hall not be included in the calculation of full-time equivalent student membership for funding purposes; decreasing the amount of certain bonuses for teachers; decreasing the value of full-time equivalent student membership calculated on the basis of international baccalaureate examination scores; decreasing the value of full-time equivalent student membership calculated on the basis of college board advanced placement scores; decreasing the value of full-time equivalent student membership calculated on the basis of certification of successful completion of industry-certified career and professional academy programs; deleting certain provisions that provide a calculation for additional full-time equivalent membership for students enrolled in the Florida Virtual School; revising certain provisions relating to the amount that each school district is required to provide annually toward the cost of the Florida Education Finance Program; extending a date relating to categorical funds for instructional materials; deleting provisions relating to the total allocation of state funds to each district for current operation for the FEFP; creating s. 1011.675, F.S.; creating a discretionary bonus allocation for school districts to recognize and reward the outstanding performance of students, teachers, and school-based administrators; providing that the funds be allocated to each school district as provided in the General Appropriations Act; authorizing school districts to use the funds for certain programs or any other purpose it deems appropriate; repealing s. 1011.68(7), F.S., relating to funds for student transportation; removing a provision that authorizes a district school board to transfer funds to its Florida Education Finance Program; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operating categorical funds; amending s. 1011.71, F.S.; revising certain provisions relating to the district school tax; waiving the three-fourths limit for certain lease-purchase agreements for a specified period; authorizing district school boards to levy an additional discretionary millage for certain operations; authorizing the Commissioner of Education to waive the equal-dollar reduction in Florida Education Finance Program funds if he or she finds that a school district acted in good faith; amending s. 1012.33, F.S.; revising provisions relating to contracts for instructional staff; advising a district school board not to enter into a new professional service contract if the only available funds are from nonrecurring Federal Stabilization Funds; amending s. 1012.71, F.S.; authorizing the Department of Education to conduct a pilot program to determine the feasibility of managing the Florida Teachers Lead Program through a centralized electronic system; providing requirements for such pilot program; providing that participation in the pilot program is voluntary; authorizing the department to limit the number of participants to adequately test the viability of the pilot program; amending s. 1013.64, F.S.; requiring that the school districts of Wakulla County and Liberty County contribute specific millage amounts to the cost of current special facilities projects for specified fiscal years; repealing s. 9 of chapter 2008-142, Laws of Florida; abrogating the expiration of certain amendments relating to categorical funding for the operation of schools; providing for implementation of specified appropriations; providing for the incorporation by reference of certain calculations used by the Legislature for the 2009-2010 fiscal year; providing an effective date.

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

CS for SB 1696—A bill to be entitled An act relating to higher education funding; amending s. 216.136, F.S.; requiring the Education Estimating Conference to develop information relating to the national average of tuition and fees; amending s. 1001.64, F.S.; prohibiting a community college board of trustees from entering into an employment contract that requires the community college to pay the president an amount from state funds in excess of 1 year of the president's annual salary for termination, buy-out, or any other type of contract settlement; providing that the payment of leave and benefits accrued by the president before the contract terminates is not prohibited; limiting the remuneration that a community college president receives annually from state funds; providing a definition for the term "remuneration"; limiting the president's compensation that is used to calculate benefits under ch. 121, F.S.; amending s. 1001.706, F.S.; prohibiting the Board of Governors from entering into an employment contract that requires the board to pay an employee an amount from state funds in excess of 1 year of the employee's annual salary for termination, buy-out, or any other type of contract settlement; providing that the payment of leave and benefits accrued by the employee before the contract terminates is not prohibited;

amending s. 1001.74, F.S.; prohibiting a university board of trustees from entering into an employment contract that requires the university to pay an employee an amount from state funds in excess of 1 year of the employee's annual salary for termination, buy-out, or any other type of contract settlement; providing that the payment of leave and benefits accrued by the employee before the contract terminates is not prohibited; amending s. 1007.33, F.S.; suspending the authorization for a community college or the State Board of Education to develop new community college baccalaureate degree programs during the 2009-2010 fiscal year; amending s. 1009.01, F.S.; revising the definition of the term "tuition differential"; amending s. 1009.21, F.S.; revising definitions; defining the terms "initial enrollment" and "nonresident for tuition purposes"; revising provisions relating to the qualifications as a resident for tuition purposes; requiring certain documentation to demonstrate state residency; creating s. 1009.286, F.S.; requiring an additional payment for credit hours exceeding the requirements for completing a baccalaureate degree program; providing exceptions; requiring notice upon a student's initial enrollment in a state university or community college; amending s. 1009.53, F.S.; requiring that an institution refund within a specified period after the end of a semester funds from the Florida Bright Futures Scholarship for courses dropped by students after the end of the drop and add period; providing exceptions; amending s. 1009.532, F.S.; revising the requirements for student eligibility to renew a scholarship under the Florida Bright Futures Scholarship Program; amending s. 1009.534, F.S.; revising provisions relating to the Florida Academic Scholars Award; amending s. 1009.536, F.S.; deleting a provision that allows a Florida Gold Seal Scholar to apply for a Florida Medallion Scholars award; amending ss. 1009.57, 1009.58, 1009.59, 1009.60, and 1009.605, F.S.; revising provisions relating to the Florida Teacher Scholarship and Forgivable Loan Program, the Critical Teacher Shortage Student Loan Forgiveness Program, the minority teacher education scholars program, and the Florida Fund for Minority Teachers, Inc.; requiring that the amount of scholarships awarded under such programs be prorated based on available appropriations and not exceed specified amounts; amending s. 1009.701, F.S.; requiring that an applicant under the First Generation Matching Grant Program meet the same eligibility requirements required under the Florida Public Student Assistance Grant Program; repealing s. 1009.765, F.S., relating to Ethics in Business scholarships for community colleges and independent post-secondary educational institutions; amending s. 1009.98, F.S.; revising provisions relating to the prepaid community college and university plans; authorizing the Florida Prepaid College Board to offer an advance payment contract covering certain fees for such plans; providing definitions regarding payments on behalf of qualified beneficiaries of an advance payment contract; providing the amounts of fees to be paid by the board; providing an exemption for certain qualified beneficiaries from paying any tuition differential fee; requiring that the board pay state universities the actual amount assessed for registration fees and tuition differential fees for certain advanced payment contracts; requiring that the board pay state universities the actual amount assessed for local fees and dormitory fees; requiring that the board pay community colleges and career centers the actual amount assessed for registration fees and local fees; amending s. 1011.83, F.S.; revising provisions relating to financial support of community colleges; providing for state funding of baccalaureate degree programs in the General Appropriations Act; requiring that the Board of Governors review a community college's baccalaureate degree programs for possible transfer under the Board of Governors' oversight if the community college offers more than a specified number of baccalaureate degrees; amending ss. 1011.32, 1011.85, and 1011.94, F.S.; requiring that donors be notified of a delay in the availability of state matching funds for the Community College Facility Enhancement Challenge Grant Program, the Dr. Philip Benjamin Matching Grant Program for Community Colleges, and the University Major Gifts Program; amending s. 1012.83, F.S.; conforming provisions relating to contracts with community college administrative and instructional staff to changes made by the act; amending s. 1013.79, F.S.; providing that a university is not precluded from expending funds from private sources to develop a prospectus; requiring that donors be notified of a delay in the availability of state matching funds for the University Facility Enhancement Challenge Grant Program; providing an effective date.

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

CS for SB 1716—A bill to be entitled An act relating to criminal justice and corrections appropriations; providing that the act imple-

ments and administers the General Appropriations Act; authorizing the Department of Corrections to use certain appropriated funds to assist in defraying the costs incurred by a county or a municipality to open or operate certain facilities; limiting the amount of such assistance; providing for the expiration of the authority to provide the assistance; amending s. 216.262, F.S.; delaying the expiration of provisions directing the Department of Corrections to seek a budget amendment for additional positions and appropriations if the inmate population exceeds a certain estimate under certain circumstances; providing for the expiration of the authority to seek a budget amendment; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in prior years; providing for the expiration of the authority to spend those appropriations; creating s. 945.6041, F.S.; defining terms; limiting the compensation of health care providers that do not have contracts to provide inmate medical services with the department or private correctional facilities; limiting compensation to entities that provide emergency medical transportation services for inmates if those entities do not have a contract with the department or certain private correctional facilities; providing an expiration date for the limits on compensation; authorizing the Department of Legal Affairs to transfer certain funds from certain cases to the Operating Trust Fund to pay salaries and benefits; providing an expiration date for the transfer of funds; nullifying provisions of the act if the appropriations or proviso language to which they relate are vetoed; providing for other acts passed during the 2009 Regular Session which contain provisions that are substantively the same as the provisions of this act to take precedence under certain circumstances; providing that the act is severable; providing for retroactive application; providing effective dates.

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

CS for SB 1718—A bill to be entitled An act relating to the state courts system; amending s. 27.562, F.S.; revising the distribution of fees collected from persons who receive certain assistance from a public defender's office; amending s. 28.2401, F.S.; increasing service charges imposed by the clerk of court in certain matters based on the value of the estate; providing for the deposit of revenues generated from the increased service charges into the State Courts Revenue Trust Fund; amending s. 28.241, F.S.; providing for a portion of circuit court filing fees to be deposited in the State Courts Revenue Trust Fund; eliminating a requirement for the clerk of court to remit a portion of excess filing fees to the Department of Revenue; providing for the payment of graduated filing fees in designated types of cases; prescribing graduated filing fees based on the value of the claim; providing a manner for valuing certain claims; requiring a fee for filing a pleading for relief by counterpetition; providing for the payment of graduated filing fees for certain pleadings for relief by cross-claim, counterclaim, counterpetition, or third-party complaint; prescribing graduated filing fees based on the value of the pleading; providing for remittance of fees by the clerk of court; amending s. 34.041, F.S.; reducing the county court filing fee for an action to remove a tenant; requiring a fee for filing a pleading for relief by counterpetition in county court; amending s. 318.15, F.S.; imposing a processing fee by the clerk of court on persons who elect to but fail to attend a driver improvement school following certain traffic violations; amending s. 497.2765, F.S.; requiring the recording with the clerk of court of purchase documents relating to burial rights; prescribing a fee for the recording the purchase documents for burial rights; requiring the clerk of court to implement a process for the electronic filing of court-related information; requiring the Florida Clerks of Court Operations Corporation to report on implementation of the electronic filing process; prescribing the statewide budget cap for the clerks of court for the 2008-2009 county fiscal year; directing the Florida Clerks of Court Operations Corporation to reduce the individual approved budgets of the clerks of court; authorizing the Chief Justice to request a loan of funds from the General Revenue Fund if the Revenue Estimating Conference projects a specified deficiency in the State Courts Revenue Trust Fund for the 2009-2010 fiscal year; requesting that the Florida Supreme Court modify rules related to filing fees; providing effective dates.

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

CS for SB 1720—A bill to be entitled An act relating to trust funds; creating the Capital Collateral Regional Counsel Trust Fund; specifying the purposes of the trust fund; providing for future review and termination or re-creation of the trust fund; amending s. 27.702, F.S.; providing for the deposit of funds reimbursing the state for representation of certain indigent persons into the Capital Collateral Regional Counsel Trust Fund; providing an effective date.

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

CS for SB 1722—A bill to be entitled An act relating to the Department of Corrections; amending s. 775.082, F.S.; requiring that the court sentence certain offenders to a nonstate prison sanction unless the court makes written findings that ordering an offender to a nonstate prison sanction could present a danger to the public; creating s. 921.00241, F.S.; providing that on or after a specified date a court may divert from the state correctional system certain offenders who otherwise would be sentenced to state prison; providing eligibility criteria for participation in the state prison diversion program if such a program is funded and exists in the circuit; requiring the court to make written findings that the offender meets the eligibility criteria for the diversion program; creating s. 944.171, F.S.; authorizing the Department of Corrections to contract with county and municipal entities to house inmates committed to the department; authorizing the department to enter into contractual agreements with another state, a political subdivision of another state, or a vendor in another state to transfer and confine Florida inmates within that state; requiring the reclassification of inmates before a transfer occurs; providing for the contents of the contract; providing that a transferred inmate remains subject to the rules of the Florida Parole Commission; requiring that contracts for the transfer of inmates be procured according to state law; requiring that additional beds authorized under a contract be added to the total capacity of the state correctional system; authorizing the department to adopt rules; amending s. 945.6037, F.S.; increasing the copayment that an inmate must make for a nonemergency visit to a health care provider; creating s. 945.6041, F.S.; defining terms; limiting the compensation of health care providers that do not have contracts to provide inmate medical services with the department or private correctional facilities; limiting compensation to entities that provide emergency medical transportation services for inmates if those entities do not have a contract with the department or certain private correctional facilities; amending s. 947.1405, F.S.; requiring any person who has been placed under supervision and is electronically monitored by the department to pay the department for the cost of the electronic monitoring service; requiring that funds collected from the person be deposited into the General Revenue Fund; authorizing the Department of Corrections to exempt a person from the payment of all or any part of the electronic monitoring service cost under certain circumstances; amending s. 948.01, F.S.; requiring the court to use the orders of supervision prepared by the Department of Corrections when placing a defendant on community supervision; amending s. 948.09, F.S.; requiring a person to pay the department the cost of electronically monitoring the offender while the offender is placed on supervision; providing for a cost cap on the monitoring service; providing that the department may exempt a person from paying all or any part of the costs of the electronic monitoring service under certain circumstances; amending s. 948.11, F.S.; requiring a person who is electronically monitored on supervision to pay the department for the electronic monitoring services; amending s. 957.09, F.S.; providing that the provisions governing private correctional facilities do not apply to contracts between the department and county and municipal entities, other states, political subdivisions of another state, or correctional management service vendors in another state for the transfer and confinement of state inmates; providing for future expiration of such exemption; amending s. 958.045, F.S.; requiring the Department of Corrections to submit a report to the court at least 30 days before a youthful offender is scheduled to complete the basic training program; requiring the court to modify the youthful offender's sentence and place the offender on probation if the youthful offender has successfully completed the basic training program; providing an effective date.

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

CS for SB 1724—A bill to be entitled An act relating to juvenile justice; amending s. 320.08046, F.S.; increasing a surcharge on the license tax for certain motor vehicles; revising the disposition of the proceeds of the tax; providing an effective date.

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

CS for SB 1726—A bill to be entitled An act relating to post-adjudicatory treatment-based drug court programs; amending s. 397.334, F.S.; specifying criteria that a court must consider before sentencing a person to a postadjudicatory treatment-based drug court program; providing for the judge presiding over a program to hear violations of probation or community control by program participants; requiring circuit courts to report data relating to postadjudicatory treatment-based drug court programs to the Office of the State Courts Administrator; providing legislative intent with respect to monitoring the programs; requiring that the Office of Program Policy Analysis and Government Accountability evaluate the programs and report to the Legislature; amending s. 921.0026, F.S.; specifying that substance abuse or addiction is an additional circumstance justifying a departure from a sentence if the defendant is amenable to a drug court program and is otherwise qualified; amending s. 948.01, F.S.; authorizing a court to place certain nonviolent felony offenders who are on probation or community control into a postadjudicatory treatment-based drug court program; amending s. 948.06, F.S.; authorizing a court to place certain nonviolent felony offenders who violate their on probation or community control into a postadjudicatory treatment-based drug court program amending s. 948.20, F.S.; authorizing a court to place certain chronic substance abusers who are a nonviolent felony offender into a post-adjudicatory treatment-based drug court program; amending ss. 948.08, 948.16, and 948.345, F.S.; conforming-cross references; providing an effective date.

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

CS for SB 1728—A bill to be entitled An act relating to the Parole Commission; amending ss. 11.905, 20.315, 20.32, 23.21, 112.011, 186.005, 255.502, 311.12, 322.16, 394.926, 394.927, 775.089, 775.16, 784.07, 784.078, 843.01, 843.02, 843.08, 893.11, 921.001, 921.16, 921.20, 921.21, 921.22, 940.03, 940.05, 941.23, 943.0311, 943.06, 943.325, 944.012, 944.02, 944.4731, 945.091, 945.10, 945.47, 945.73, 947.005, 947.01, 947.02, 947.021, 947.045, 947.141, 947.146, 947.181, 947.185, 947.22, 948.10, 949.05, 951.29, 957.06, 958.045, 960.001, 960.17, 985.04, and 985.045, F.S.; changing the name of the Parole Commission to the Commission for Offender Assessment and Transition; providing an effective date.

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

CS for SB 1738—A bill to be entitled An act implementing the 2009-2010 General Appropriations Act; providing legislative intent; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; authorizing certain moneys to be appropriated to offset reductions in ad valorem tax revenue experienced by fiscally constrained counties occurring as a direct result of the implementation of revisions of Art. VII of the State Constitution approved in the special election held on January 29, 2008; amending s. 218.12, F.S.; requiring that the value of assessments reduced pursuant to s. 4(d)(8)a. of Art. VII of the State Constitution include only the reduction in taxable value for homesteads established in the preceding year; amending s. 253.01, F.S.; delaying the expiration of provisions relating to grants and aids from the Internal Improvement Trust Fund for the drinking water facility construction state revolving loan program and the clean water state revolving loan program; reenacting s. 255.518(1)(b), F.S., relating to the payment of obligations during the construction of a facility financed by such obligations; repealing s. 27 of chapter 2008-153, Laws of Florida; abrogating the future repeal of an amendment made by that chapter to s.

255.518(1)(b), F.S., and abrogating the revision of the text of that paragraph to that in existence on June 30, 2008, with specified exceptions; amending s. 255.503, F.S.; delaying the expiration of provisions relating to the Florida Facilities Pool; amending s. 373.59, F.S.; providing for the allocation of moneys from the Water Management Lands Trust Fund for certain purposes; providing an expiration date; amending s. 376.3071, F.S.; delaying the repeal of provisions relating to funding from the Inland Protection Trust Fund for site restoration; amending s. 403.1651, F.S.; providing that funds from the Ecosystem Management and Restoration Trust Fund be used for the purpose of funding activities to preserve and repair the state's beaches; providing for reversion of statutory text of certain provisions; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing the Department of Agriculture and Consumer Services to use funds from the General Inspection Trust Fund for certain programs; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

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

CS for SB 1740—A bill to be entitled An act relating to trust funds; re-creating the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection without modification; repealing s. 403.891(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; amending s. 403.890, F.S.; providing for the distribution of funds in the Water Protection and Sustainability Program Trust Fund for the 2009-2010 fiscal year; delaying the expiration of certain provisions relating to such fund; providing an effective date.

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

CS for SB 1742—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; transferring the Invasive Plant Control Trust Fund in the Department of Environmental Protection to the Fish and Wildlife Conservation Commission; transferring to the Fish and Wildlife Conservation Commission all powers, duties, records, personnel, property, funds, rules, issues, and contracts of the Bureau of Invasive Plant Management in the Department of Environmental Protection; ratifying actions taken pursuant to chapter 2008-150, Laws of Florida, and an interagency agreement executed pursuant thereto; amending s. 379.353, F.S.; providing that a hunting, freshwater fishing, or saltwater fishing license or permit is not required for any resident saltwater fishing from land who has been determined eligible for the food stamps, temporary cash assistance, or the Medicaid programs; providing for proof of eligibility for the qualifying programs; removing the exemption from the need to possess a license for a resident fishing for a saltwater species in fresh water from land; reenacting s. 379.3581(7), F.S., relating to hunter safety courses, to incorporate the amendments made to s. 379.353, F.S., in a reference thereto; providing effective dates.

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

CS for SB 1744—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; creating s. 531.60, F.S.; requiring a permit for weights and measures instruments or devices used commercially or tested by the department; creating s. 531.61, F.S.; providing exemptions from permit requirements; creating s. 531.62, F.S.; providing for permit application and annual renewal; creating s. 531.63, F.S.; providing for maximum permit fees based on the number and capacity of such instruments or devices; creating s. 531.64, F.S.; providing for the suspension or revocation of permits; creating s. 531.65, F.S.; authorizing the department to take certain actions and impose penalties for unpermitted use; creating s. 531.66, F.S.; directing the department to develop forms and adopt rules; amending s. 589.08, F.S.; limiting the payment of a certain percentage of the gross receipts from a state forest to fiscally constrained counties; amending s. 589.081, F.S.; limiting the payment of a certain percentage of the gross receipts from specified state

forests to the board of county commissioners and the school board of certain fiscally constrained counties; providing an effective date.

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

CS for SB 1748—A bill to be entitled An act relating to the Department of Revenue; amending s. 195.022, F.S.; requiring county property appraisers, tax collectors, clerks of the circuit court, and value adjustment boards to bear the expense of reproducing forms prescribed by the Department of Revenue to administer and collect ad valorem taxes; amending s. 213.34, F.S.; defining terms; imposing an administrative collection processing fee on a taxpayer who fails to pay the amount of tax or penalty due within a certain period after a noncompliant filing event; specifying the amount of the administrative collection processing fee; specifying circumstances under which the Department of Revenue may waive or reduce the fee; providing for the distribution of administrative collection processing fees; amending s. 213.75, F.S.; revising the priority order against which payments by a taxpayer apply to amounts owed to the Department of Revenue; providing for application of the administrative collection processing fees to certain noncompliant filing events; amending s. 213.755, F.S.; requiring any taxpayer who does not electronically file a certain tax return to pay a specified fee; requiring the fee to be deposited into the Operations Trust Fund of the Department of Revenue; providing that the fee is subject to a service charge; amending s. 220.21, F.S.; conforming a cross-reference; providing for application of specified provisions of the act; providing effective dates.

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

CS for SB 1750—A bill to be entitled An act relating to the disposition of tax revenues; amending s. 212.20, F.S.; revising the disposition of the proceeds of certain taxes; reducing a distribution to the Ecosystem Management and Restoration Trust Fund and increasing a distribution to the General Revenue Fund; providing for reversion of statutory text of certain provisions; providing an effective date.

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

CS for SB 1754—A bill to be entitled An act relating to the laws and rules examination for certified public accountants; amending ss. 455.217, 473.305, 473.311, and 473.313, F.S.; removing provisions requiring that an applicant for renewal of a license to practice public accounting pass an examination on chs. 455 and 473, F.S., and related administrative rules; providing an effective date.

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

CS for SB 1758—A bill to be entitled An act relating to insurance; amending s. 624.523, F.S.; revising the list of items from which payments received are deposited into the Insurance Regulatory Trust Fund; amending ss. 626.932 and 626.938, F.S.; deleting provisions relating to the distribution of certain collected taxes and interest; providing for the reversion as of a specified date of the statutory text of certain provisions relating to the distribution of collected taxes and interest; providing an effective date.

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

CS for SB 1776—A bill to be entitled An act implementing the 2009-2010 General Appropriations Act; providing legislative intent; amending s. 253.034, F.S.; delaying the expiration of provisions authorizing the deposit of funds from the sale of property located in Palm Beach County by the Department of Highway Safety and Motor Vehicles into the Highway Safety Operating Trust Fund; amending s. 339.08, F.S.; delaying the expiration of provisions relating to the use of funds from the State Transportation Trust Fund; amending s. 339.135, F.S.; delaying the expiration of provisions relating to the transfer of funds from the Department of Transportation to the Office of Tourism, Trade, and

Economic Development for the purpose of funding the transportation-related needs of certain projects; revising the amount of such transfer; deleting obsolete provisions; amending s. 332.007, F.S.; authorizing the Department of Transportation to fund operational and maintenance assistance at publicly owned public-use airports; providing for the expiration of such authority and the reversion of statutory text; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

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

CS for SB 1778—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; terminating the DUI Programs Coordination Trust Fund within the Department of Highway Safety and Motor Vehicles; transferring the current balances in and revenues of the trust fund to the Highway Safety Operating Trust Fund within the department; requiring that the department pay any outstanding debts and obligations of the fund; requiring that the Chief Financial Officer close out and remove the trust fund from the state accounting systems; amending ss. 17.61 and 215.20, F.S.; deleting references to the DUI Programs Coordination Trust Fund within the Department of Highway Safety and Motor Vehicles; amending s. 316.066, F.S.; increasing the fee for a copy of a crash report provided by a certified traffic records center; amending s. 316.605, F.S.; deleting a reference to registration decal to conform to changes made by the act; amending s. 318.15, F.S.; increasing the service charge relating to the suspension of a driver's license; amending s. 319.23, F.S.; increasing the fee relating to an application for a certificate of title; amending s. 319.32, F.S.; requiring an additional fee for each subsequent inspection of a vehicle that receives a physical examination; providing that the proceeds from such fees be deposited into the General Revenue Fund and the Highway Safety Operating Trust Fund; amending ss. 319.323 and 319.324, F.S.; increasing the fee relating to expedited service on title transfers, title issuances, duplicate titles, recordation of liens, and certificates of repossession; conforming provisions to changes made by the act; amending s. 319.33, F.S.; deleting references to decals for the identification of a motor vehicle; ss. 319.34 and 320.02, F.S.; conforming provisions to changes made by the act; amending s. 320.023, F.S.; requiring that any voluntary contribution on a motor vehicle registration application be deposited into and distributed from the Motor Vehicle License Clearing Trust Fund; s. 320.025, F.S.; conforming provisions to changes made by the act; amending s. 320.03, F.S.; increasing a fee on license registrations to cover the costs of the Florida Real Time Vehicle Information System; amending s. 320.031, F.S.; conforming provisions to changes made by the act; amending s. 320.04, F.S.; revising provisions relating to service charges for the issuance of registration certificates for a vehicle, vessel, or mobile home to conform to changes made by the act; amending s. 320.05, F.S.; revising provisions relating to fees for providing lists of motor vehicle or vessel records; amending s. 320.055, F.S.; deleting provisions relating to driver's license registration periods and renewal periods; amending ss. 320.06 and 320.0607, F.S.; extending the period for which registration license plates are issued and replaced; increasing fees for the replacement of such plates; amending ss. 320.061, 320.07, and 320.071, F.S.; conforming provisions to changes made by the act; amending s. 320.08, F.S.; increasing the annual license taxes imposed for the operation of motor vehicles, mopeds, motorized bicycles, and mobile homes; providing that a certain portion of each tax be deposited into the General Revenue Fund; revising provisions to changes made by the act; amending s. 320.08035, F.S.; conforming a cross-reference; amending s. 320.08046, F.S.; increasing the surcharge levied on each license tax; increasing the percentage of the proceeds of such surcharge for deposit into the General Revenue Fund; amending s. 320.0805, F.S.; increasing the processing fee for personalized prestige license plates; amending s. 320.08056, F.S.; increasing the processing fee for specialty license plates; amending s. 320.0807, F.S.; conforming a cross-reference; amending s. 320.081, F.S.; revising provisions relating to the distribution of annual license taxes imposed on mobile homes, park trailers, travel trailers, and fifth-wheel trailers exceeding 35 feet in body length; requiring that such distribution be made by payment by warrant drawn by the Chief Financial Officer upon the treasury on a monthly basis from the License Tax Collection Trust Fund; amending s. 320.084, F.S.; revising provisions relating to license plates for certain

disabled veterans to conform to changes made by the act; conforming a cross-reference; amending s. 320.086, F.S.; conforming provisions to changes made by the act; amending s. 320.0894, F.S.; deleting provisions relating to Gold Star license plates to conform to changes made by the act; amending ss. 320.10, 320.26, and 320.261, F.S.; conforming provisions to changes made by the act; amending s. 320.822, F.S.; deleting the definition of the term "seal" or "label"; repealing s. 320.824, F.S.; deleting provisions authorizing the department to adopt rules relating to the uniform mobile home standards; deleting provisions authorizing the department or its agent to enter a place or establishment where mobile homes are manufactured, sold, or offered for sale; amending s. 320.8245, F.S.; conforming provisions to changes made by the act; amending s. 320.8249, F.S.; conforming a cross-reference; repealing s. 320.8255, F.S.; relating to mobile home inspections; amending ss. 320.827 and 320.834, F.S.; deleting provisions to conform to changes made by the act; amending s. 321.23, F.S.; increasing the cost of receiving a copy of a crash report from the Department of Highway Safety and Motor Vehicles; amending s. 322.051, F.S.; revising provisions relating to a fee for obtaining a duplicate identification card; amending s. 322.081, F.S.; requiring that any voluntary contribution on a driver's license application be deposited into and distributed from the Motor Vehicle License Clearing Trust Fund; amending s. 322.12, F.S.; increasing the examination fees for subsequent knowledge and skills tests for a driver's license if an applicant failed the initial tests; amending s. 322.20, F.S.; increasing the fee for obtaining records from the Division of Drivers Licenses; amending s. 322.201, F.S.; revising provisions relating to the certification of certain records as evidence; amending s. 322.21, F.S.; increasing licensing fees; creating s. 322.2715, F.S.; requiring that an installer of a ignition interlock device collect and remit an installation fee to the department to be deposited into the Highway Safety Operating Trust Fund for the operation of the Ignition Interlock Device Program; amending ss. 322.29 and 322.293, F.S.; conforming provisions to changes made by the act; providing effective dates.

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

CS for SB 1780—A bill to be entitled An act relating to the Department of State; amending s. 15.16, F.S.; authorizing the Department of State to use electronic transmission to notify and communicate in the performance of its duties; authorizing the department to collect e-mail addresses and require filers and registrants to furnish such e-mail addresses for presenting documents and filing; amending s. 120.55, F.S.; deleting a provision that requires the Department of State to provide the Florida Administrative Weekly to the Legislative Library each year; repealing ss. 265.2861, 265.2862, 265.289, 265.608, 265.609, 265.702, and 265.708, F.S., relating to the Cultural Institutions Program and Trust Fund, general support program for cultural institutions, audit information and admission fees for state theater contract organizations, science museums and grants, youth and children's museum and grants, regional cultural facilities, and historical museum grants; amending s. 265.281, F.S.; renaming the "Florida Fine Arts Act of 1980" as the "Florida Arts and Culture Act"; amending s. 265.282, F.S.; revising legislative intent to include the promotion of activities involving arts and culture; providing support for museums and nonprofit organizations; amending s. 265.283, F.S.; revising and providing definitions; amending s. 265.284, F.S.; revising the duties and responsibilities of the Division of Cultural Affairs within the department to administer funds, sponsor events encouraging arts and cultural programs, and enter into certain contracts; requiring that the division adopt rules; amending s. 265.285, F.S.; renaming the "Florida Arts Council" as the "Florida Council on Arts and Culture"; requiring that the council meet at the request of the division; deleting provisions authorizing the Secretary of State to appoint review panels; revising the duties of the council; amending s. 265.286, F.S.; authorizing the Secretary of State to appoint review panels representing arts and cultural disciplines and programs to assist the council in the grant review process; providing membership; providing terms; providing duties and responsibilities; requiring that the council review grant application lists; requiring that the secretary review the council's recommendations and submit approved lists to the Legislature by a specified date; establishing procedures for the awarding and funding of grants; authorizing the division to provide funding for certain programs and areas; requiring that the division adopt rules establishing eligibility criteria, grant programs, and the panel review process; requiring that the division award grants under certain circumstances; establishing eligibility requirements for grantees; limiting grant awards

to one recipient per grant cycle; providing exceptions; providing a formula for the distribution of matching and nonmatching funds; providing for certain in-kind funds; deleting provisions relating to the division's authority to expend appropriated funds for grants; deleting provisions establishing criteria for such grants; amending ss. 607.1420 and 607.1421, F.S.; revising provisions relating to the administrative dissolution of a corporation by the department to conform to changes made by the act; amending ss. 607.1530 and 607.1531, F.S.; revising provisions relating to revocation of a certificate of authority to conform to changes made by the act; amending ss. 608.448 and 608.4481, F.S.; revising provisions relating to administrative dissolution of a limited liability company to conform to changes made by the act; amending ss. 608.512 and 608.513, F.S.; revising provisions relating to the revocation of a certificate of authority of a foreign limited liability company to conform to changes made by the act; amending ss. 617.1420, 617.1421, 617.1530, 617.1531, 620.1809, 620.1906, and 620.9003, F.S.; conforming provisions to changes made by the act; amending s. 679.527, F.S.; deleting provisions relating to the department's authority to determine and select certain respondents and to negotiate and enter into certain contracts; providing that a contract to perform administrative and operational functions for the Florida Secured Transaction Registry terminates on a specified date; requiring that the Department of State perform the administrative and operational functions of the filing officer or filing office for the registry after such termination; amending s. 865.09, F.S.; revising provisions relating to notice of the expiration of a fictitious name registration; requiring that the department serve such notice by electronic transmission if the owner or registrant of the fictitious name has provided an electronic mail address to the department; providing an effective date.

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

CS for SB 1782—A bill to be entitled An act relating to the Unemployment Compensation Claims and Benefits Information System; creating s. 443.1113, F.S.; directing the Agency for Workforce Innovation to replace and enhance the functionality of specified systems if funding is available; requiring accomplishment of specified objectives; excluding specific system functionality; establishing project phases and timeframes; specifying the project sponsor and governance structure; providing an effective date.

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

CS for SB 1786—A bill to be entitled An act relating to comprehensive plan amendments; establishing a transmittal fee for proposed comprehensive plan amendments sent to the state land planning agency; providing an exception; providing that a local government is not limited in passing along the fee associated with plan-amendment review to certain entities; requiring the state land planning agency to deposit all fees collected into the Operating Trust Fund within the Department of Community Affairs; requiring the state land planning agency to submit a report to the President of the Senate and the Speaker of the House of Representatives by a specified date; providing a declaration of important state interest; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Environmental Preservation and Conservation—

CS for SB 1898—A bill to be entitled An act relating to the water management districts; reenacting ss. 373.069, 373.0693, 373.0695, 373.073, and 373.083, F.S., relating to the creation of the water management districts, pursuant to the provisions of the Florida Government Accountability Act; amending s. 373.0693, F.S.; providing conditions for serving on a basin board after a term expires; removing ex-officio designation for board members serving on basin boards; revising the membership of certain basin boards; eliminating the Oklawaha River Basin Advisory Council; amending s. 373.323, F.S.; providing for an applicant who meets certain conditions to be certified as a licensed water well contractor; amending s. 373.536, F.S.; authorizing certain chairs of committees of the Senate and the House of Representatives to submit comments and objections to proposed district budgets; amending s. 373.079, F.S.; revising meeting requirements for members of the governing boards, committees, and advisory boards of the water manage-

ment districts, as provided in s. 120.54, F.S.; creating the Reclaimed Water Coordination Task Force; providing legislative findings; providing purposes; requiring that the task force review certain rules, programs, and policies when preparing its recommendations; providing for membership of the task force; requiring that members be appointed on or before a specified date; providing for administrative support for the task force; providing duties of the task force; requiring that the Department of Environmental Protection and each water management district encourage the use of pilot projects for certain purposes; requiring that the task force submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before a specified date; requiring that the report contain certain information; requiring that the department and each water management district cooperate with the task force; requesting that all other agencies cooperate with the task force; providing for dissolution of the task force; creating s. 373.0725, F.S.; providing for the Florida Public Service Commission Nominating Council to nominate candidates for appointment to the water management boards; providing requirements; amending s. 373.073, F.S.; providing conforming changes; amending s. 373.079, F.S.; providing for the delegation of environmental resource permit issuance to the executive directors; amending s. 373.083, F.S.; providing conforming changes; amending s. 373.118, F.S.; providing conforming changes; amending s. 373.584, F.S.; providing for a cap on revenues pledged for debt service; providing for legislative approval to exceed the cap; amending s. 373.59, F.S.; allowing for the use of funds to pay for nominating council activities; clarifying conditions under which payment in lieu of taxes shall be paid; repealing ss. 373.465, and 373.466, F.S., relating to the Lake Panasoffkee Restoration Council and the restoration program; providing an effective date.

By the Committee on Health Regulation; and Senator Lawson—

CS for SB 1926—A bill to be entitled An act relating to inactive licenses and certificates of need for health care providers; amending s. 408.040, F.S.; extending the period that a certificate of need is valid; amending s. 408.808, F.S.; allowing a health care provider to extend the inactive period beyond 12 months and renew the inactive designation under certain circumstances; requiring commencement of construction or proof of certain enforceable capital expenditures if the request is for a second renewal; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Diaz de la Portilla and Storms—

CS for SB 1978—A bill to be entitled An act relating to education; creating s. 1010.2155, F.S.; requiring that school districts spend a specified percentage of operating funds on classroom instruction; requiring each school district to annually calculate this percentage based on a uniform calculation developed by the Department of Education; requiring school districts to report classroom expenditures according to a format developed by the department; requiring that the department provide technical assistance to districts that fail to meet the required expenditures and to any district upon request; requiring that the school board provide assistance to principals of schools that fail to meet the required expenditures; authorizing the State Board of Education to adopt rules; providing an effective date.

By the Committees on Criminal Justice; and Health Regulation; and Senators Gaetz and Peadar—

CS for CS for SB 1986—A bill to be entitled An act relating to health care; providing legislative findings; designating Miami-Dade County as a health care fraud area of concern; amending s. 68.085, F.S.; allocating certain funds recovered under the Florida False Claims Act to fund rewards for persons who report and provide information relating to Medicaid fraud; amending s. 68.086, F.S.; providing that a defendant who prevails in an action under the Florida False Claims Act may be awarded attorney's fees and costs against the person bringing the action under certain circumstances; amending s. 400.471, F.S.; prohibiting the Agency for Health Care Administration from renewing a license of a home health agency in certain counties if the agency has been sanctioned for certain misconduct; amending s. 400.474, F.S.; authorizing the Agency for Health Care Administration to deny, revoke, or suspend the license of or fine a home health agency that bills the Medicaid program for medically unnecessary services; amending s. 400.506, F.S.; exempt-

ing certain items from a prohibition against providing remuneration to certain persons by a nurse registry; amending s. 408.05, F.S.; requiring the Florida Center for Health Information and Policy Analysis to take certain actions to improve the prevention and detection of health care fraud through the use of technology; creating s. 408.8065, F.S.; providing additional licensure requirements for home health agencies, home medical equipment providers, and health care clinics; imposing criminal penalties on a person who knowingly submits misleading information to the Agency for Health Care Administration in connection with applications for certain licenses; amending s. 408.810, F.S.; requiring certain licensees to provide clients with a description of Medicaid fraud and the statewide toll-free telephone number for the central Medicaid fraud hotline; amending s. 408.815, F.S.; providing additional grounds to deny an application for a license; amending s. 409.905, F.S.; authorizing the Agency for Health Care Administration to require prior authorization of care based on utilization rates; requiring a home health agency to submit a plan of care and documentation of a recipient's medical condition to the Agency for Health Care Administration when requesting prior authorization; prohibiting the Agency for Health Care Administration from paying for home health services unless specified requirements are satisfied; amending s. 409.912, F.S.; requiring the Agency for Health Care Administration to establish norms for the utilization of Medicaid services; requiring the agency to submit a report relating to the overutilization of Medicaid services; amending s. 409.913, F.S.; requiring that the annual report submitted by the Agency for Health Care Administration and the Medicaid Fraud Control Unit of the Department of Legal Affairs recommend changes necessary to prevent and detect Medicaid fraud; requiring the Agency for Health Care Administration to monitor patterns of overutilization of Medicaid services; requiring the agency to deny payment or require repayment for Medicaid services under certain circumstances; requiring the Agency for Health Care Administration to immediately terminate a Medicaid provider's participation in the Medicaid program as a result of certain adjudications against the provider or certain affiliated persons; requiring the Agency for Health Care Administration to suspend or terminate a Medicaid provider's participation in the Medicaid program if the provider or certain affiliated persons participating in the Medicaid program have been suspended or terminated by the Federal Government or another state; providing that a provider is subject to sanctions for violations of law as the result of actions or inactions of the provider or certain affiliated persons; requiring the Agency for Health Care Administration to use specified documents from a provider's records to calculate an overpayment by the Medicaid program; prohibiting a provider from using certain documents or data as evidence when challenging a claim of overpayment by the Agency for Health Care Administration; requiring that the agency provide notice of certain administrative sanctions to other regulatory agencies within a specified period; requiring the Agency for Health Care Administration to withhold or deny Medicaid payments under certain circumstances; requiring the agency to terminate a provider's participation in the Medicaid program if the provider fails to repay certain overpayments from the Medicaid program; requiring the agency to provide at least annually information on Medicaid fraud in an explanation of benefits letter; requiring the Agency for Health Care Administration to post a list on its website of Medicaid providers and affiliated persons of providers who have been terminated or sanctioned; amending s. 409.920, F.S.; defining the term "managed care organization"; providing criminal penalties and fines for Medicaid fraud; granting civil immunity to certain persons who report suspected Medicaid fraud; creating s. 409.9203, F.S.; authorizing the payment of rewards to persons who report and provide information relating to Medicaid fraud; amending s. 456.004, F.S.; requiring the Department of Health to work cooperatively with the Agency for Health Care Administration and the judicial system to recover overpayments by the Medicaid program; amending s. 456.041, F.S.; requiring the Department of Health to include a statement in the practitioner profile if a practitioner has been terminated from participating in the Medicaid program; creating s. 456.0635, F.S.; prohibiting Medicaid fraud in the practice of health care professions; requiring the Department of Health or boards within the department to refuse to admit to exams and to deny licenses, permits, or certificates to certain persons who have engaged in certain acts; requiring health care practitioners to report allegations of Medicaid fraud; specifying that acceptance of the relinquishment of a license in anticipation of charges relating to Medicaid fraud constitutes permanent revocation of a license; amending s. 456.072, F.S.; creating additional grounds for the Department of Health to take disciplinary action against certain applicants or licensees for misconduct relating to a Medicaid program or to health care fraud; amending s. 456.074, F.S.; requiring the

Department of Health to issue an emergency order suspending the license of a person who engages in certain criminal conduct relating to the Medicaid program; amending s. 465.022, F.S.; authorizing partnerships and corporations to obtain pharmacy permits; requiring applicants or certain persons affiliated with an applicant for a pharmacy permit to submit a set of fingerprints for a criminal history records check and pay the costs of the criminal history records check; amending s. 465.023, F.S.; requiring the Department of Health or the Board of Pharmacy to deny an application for a pharmacy permit or take disciplinary action against a permittee for certain misconduct by the applicant, licensee, or person affiliated with the applicant or licensee; amending s. 825.103, F.S.; redefining the term "exploitation of an elderly person or disabled adult"; amending s. 921.0022, F.S.; revising the severity level ranking of Medicaid fraud under the Criminal Punishment Code; creating a pilot project to monitor and verify the delivery of home health services and provide for electronic claims for home health services; requiring the Agency for Health Care Administration to issue a report evaluating the pilot project; creating a pilot project for home health care management in Miami-Dade County; amending ss. 400.0077 and 430.608, F.S.; conforming cross-references to changes made by the act; providing an effective date.

By the Committee on Health Regulation; and Senator Detert—

CS for SB 2040—A bill to be entitled An act relating to 911 emergency dispatcher certification; amending s. 401.465, F.S.; defining the terms "certified dispatch training center" and "certified dispatch training program"; authorizing a public safety agency to employ a 911 emergency dispatcher trainee for a limited period under certain conditions; requiring any person serving as a 911 emergency dispatcher to be certified by the Department of Health; revising application requirements for certification; providing an expiration date for initial certification of certain 911 emergency dispatchers; providing certification standards for certified dispatch training centers and certified dispatch training programs; requiring the department to charge fees for the review and approval of training programs; providing general application procedures for online licensure applications; amending s. 401.411, F.S.; revising the grounds in which the department may deny, suspend, or revoke the certification of a 911 emergency dispatcher; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Crist—

CS for SB 2094—A bill to be entitled An act relating to juvenile justice; amending s. 394.492, F.S.; including children 9 years of age or younger at the time of referral for a delinquent act within the definition of those children who are eligible to receive comprehensive mental health services; amending s. 435.04, F.S., relating to level 2 screening standards; correcting a cross-reference; amending s. 984.03, F.S.; expanding the meaning of the term "child in need of services" to include a child 9 years of age or younger at the time of referral to the Department of Juvenile Justice; amending s. 985.02, F.S.; providing additional legislative findings and intent; amending s. 985.03, F.S.; redefining the term "child in need of services" to provide that a child is eligible to receive comprehensive services if the child is 9 years of age or younger at the time of referral to the department; defining the term "ordinary medical care in department facilities and programs"; amending s. 985.125, F.S.; encouraging law enforcement agencies, school districts, counties, municipalities, and the Department of Juvenile Justice to establish prearrest or postarrest diversion programs for first-time misdemeanor offenders who are 9 years of age or younger; amending s. 985.441, F.S.; providing that a court may commit a female child adjudicated as delinquent to the department for placement in a mother-infant program designed to serve the needs of the juvenile mothers or expectant juvenile mothers who are committed as delinquents; requiring the department to adopt rules to govern the operation of the mother-infant program; amending s. 985.601, F.S.; requiring that the department adopt rules to ensure the effective delivery of services to children in the care and custody of the department; requiring the department to coordinate its rule-adoption process with the Department of Children and Family Services and the Agency for Persons with Disabilities; amending s. 985.644, F.S.; eliminating the exemption from background screening previously granted to a volunteer who assists on an intermittent basis for less than 40 hours per month in programs serving children if the volunteer was under direct and constant supervision by persons who meet the screening requirements; eliminating the Juvenile

Justice Standards and Training Commission; providing that the department rather than the commission is responsible for juvenile justice staff development and training; detailing the minimum qualifications for juvenile justice staff of the department and contract providers who deliver direct-care services to children; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Crist—

CS for SB 2128—A bill to be entitled An act relating to juvenile justice; amending s. 394.492, F.S.; including children 9 years of age or younger at the time of referral for delinquency within the definition of those children who are eligible to receive comprehensive mental health services; amending s. 984.03, F.S.; redefining the term “child in need of services” to provide that a child is eligible to receive comprehensive services if the child is 9 years of age or younger at the time of referral for delinquency; amending s. 985.02, F.S.; providing additional legislative findings and intent; directing the Department of Juvenile Justice to focus on the principles of restorative justice; requiring the Department of Juvenile Justice to examine and revise its strategies, policies, and practices whenever a specific group of youth is overrepresented based upon their gender, ethnicity, or socioeconomic status in the juvenile justice system to ensure that all youth are treated equally; defining the term “overrepresentation”; amending s. 985.03, F.S.; redefining the term “child in need of services” to provide that a child is eligible to receive comprehensive services if the child is 9 years of age or younger at the time of referral for delinquency; amending s. 985.125, F.S.; encouraging law enforcement agencies, school districts, counties, municipalities, and the Department of Juvenile Justice to establish prearrest or postarrest diversion programs for first-time misdemeanor offenders who are 9 years of age or younger; amending s. 985.245, F.S.; modifying the size and composition of the risk assessment committee; requiring that the risk assessment instrument be independently validated; amending s. 985.664, F.S.; authorizing each juvenile justice circuit board to increase the number of board members from three to five; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

CS for SB 2306—A bill to be entitled An act relating to the Marriage Education Trust Fund; creating s. 741.0101, F.S.; creating the Marriage Education Trust Fund within the Executive Office of the Governor; providing for administration of the trust fund and use of moneys therein; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Health Regulation; and Senator Storms—

CS for SB 2422—A bill to be entitled An act relating to Medicaid; amending s. 409.912, F.S.; requiring that funds repaid to the Agency for Health Care Administration by managed care plans that spend less than a certain percentage of the capitation rate for behavioral health services be deposited into the Medical Care Trust Fund; providing that such repayments be allocated to community behavioral health providers and used for Medicaid behavioral and case management services; providing an effective date.

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

CS for SB 2482—A bill to be entitled An act relating to school improvement and accountability; amending s. 1001.42, F.S.; revising provisions relating to the powers and duties of district school boards to implement the state system of school improvement and education accountability; amending s. 1002.33, F.S.; revising provisions relating to charter schools to conform to changes made by the act; amending s. 1003.413, F.S.; redefining the term “secondary school” to no longer include an elementary school serving students through grade 6 only; repealing s. 1003.413(5), F.S., relating to a requirement that the Commissioner of Education create and implement the Secondary School Improvement Award Program; amending s. 1003.4156, F.S.; revising provisions relating to the general requirements for middle grades promotion; providing an exception; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school gradua-

tion; providing exceptions; amending s. 1003.429, F.S.; revising provisions relating to accelerated high school graduation; revising the credits for certain courses required under the 3-year standard college preparatory program beginning with students who enter grade 9 in the 2009-2010 school year; amending s. 1003.433, F.S.; providing that a student who enters middle school at the eighth grade from out of state or from a foreign country is not required to spend additional time in school to meet the requirements for middle grades promotion under certain circumstances; requiring that such student receive immediate and intensive instruction in English language acquisition under specified circumstances; amending s. 1003.621, F.S.; requiring that the State Board of Education annually designate school districts as academically high-performing school districts if certain criteria are met; requiring that such designation occur at the next meeting of the State Board of Education on or after a specified date each year; providing that the designation is effective beginning the following school year; revising the information that an academically high-performing school district must include in its annual report to the State Board of Education and the Legislature; amending s. 1008.22, F.S.; providing that concordant scores that are earned before taking the grade 10 Florida Comprehensive Assessment Test may not be used to qualify for a standard high school diploma; requiring that a student who has not earned passing scores on the grade 10 FCAT participate in each retake of the assessment until he or she earns a passing score or achieves a passing score on a standardized assessment which is concordant with FCAT passing scores; deleting certain provisions relating to concordant scores for the FCAT; amending s. 1008.25, F.S.; requiring that each district school board annually post certain information on its Internet website; revising the date that each district school board is required to report certain information to the State Board of Education; amending s. 1008.33, F.S.; requiring that the state system of educational accountability comply with the federal Elementary and Secondary Act after the State Board of Education evaluates and determines that it is consistent with certain principles; providing that school districts and public schools are accountable to the State Board of Education; providing responsibilities for the State Board of Education regarding the system of school improvement and accountability; requiring that the Department of Education categorize public schools annually based on school grade and the level and rate of change in student performance; providing that schools are subject to intervention and support strategies; authorizing the State Board of Education to prescribe reporting requirements to review and monitor the progress of schools; requiring that the Department of Education create a matrix reflecting which intervention and support strategies to apply to schools in each category; providing criteria for categorizing schools as the lowest performing schools; requiring that a district improve the performance of the lowest performing schools so that the schools advance to another category; providing that school districts be allowed no more than 3 years to move such schools to another category; requiring that school districts levy an additional millage rate if improvements are insufficient after 3 years; requiring that the State Board of Education adopt rules; amending s. 1008.34, F.S.; revising provisions relating to the designation of school grades; amending s. 1008.345, F.S.; conforming provisions to changes made by the act; amending s. 1008.36, F.S.; revising the date that school staff and the school advisory council are required to reach an agreement regarding the distribution of financial awards under the Florida School Recognition Program; amending s. 1012.2315, F.S.; revising legislative findings and intent; revising provisions relating to the assignment of teachers to conform to changes made by the act; creating s. 1011.626, F.S.; providing legislative findings and intent; requiring that a school district levy an additional millage rate if it fails to improve the lowest performing schools in its district; requiring that the Commissioner of Education calculate the amount of the additional millage rate; requiring that the Commissioner of Education withhold funds from school districts in an amount equal to the additional millage rate; providing for the use of revenues generated from the additional millage; requiring public notice of proposed property taxes; specifying the contents of such notice; amending s. 200.065, F.S.; specifying the form of the notice, which must include an explanation of the additional millage rate required by the act; providing an effective date.

By the Committee on Finance and Tax; and Senator Altman—

CS for SB 2546—A bill to be entitled An act relating to corporate income tax; creating the “Florida Fair Business Competition Act”; amending s. 196.012, F.S.; conforming cross-references; amending ss. 213.053 and 213.054, F.S.; conforming provisions to the repeal of pro-

visions allowing certain deductions by certain financial institutions; amending s. 220.02, F.S.; revising legislative intent with respect to the classifications of organizations for purposes of the corporate income tax; amending s. 220.03, F.S.; redefining the terms “corporation” and “non-business income”; providing requirements for the classification of corporations that are partners in partnerships; defining the term “tiered partnership arrangement”; amending s. 220.13, F.S.; defining the term “adjusted federal income” with respect to certain expenses related to a business asset; defining the term “taxable income” for purposes of certain corporate entities; providing certain restrictions with respect to the deductibility of intangible expenses, interest expenses, and management fees; providing requirements for filing tax returns; providing for making certain calculations and providing for certain deductions; amending s. 220.131, F.S.; providing a limitation on the net operating loss that may be claimed by a member of an affiliated group; providing for the expiration of eligibility for a specified election with respect to certain tax filings; requiring that certain gross receipts be excluded from sales between affiliated corporations for purposes of determining taxable income; amending s. 220.15, F.S.; revising requirements governing the apportionment of adjusted federal income; clarifying circumstances under which a sale of services occurs in the state; amending s. 220.1501, F.S.; conforming cross-references; creating s. 220.1505, F.S.; providing requirements for the apportionment of income of a financial institution whose business activity is taxable within and without the state; providing definitions; providing apportionment factors with respect to receipts, property, and payroll; amending s. 220.151, F.S.; providing for the apportionment of the tax base for taxpayers furnishing certain transportation services; defining the term “revenue miles in this state”; amending s. 220.152, F.S.; conforming provisions to changes made by the act; repealing s. 213.054, F.S., relating to certain tax exemptions or deductions; repealing ss. 220.62(3) and (5), and 220.63(5), F.S., relating to the franchise tax imposed on banks and savings associations; amending s. 220.64, F.S.; conforming provisions to changes made by the act; amending s. 220.51, F.S.; authorizing the Department of Revenue to adopt rules; providing legislative intent with respect to corporations filing corporate income tax returns; clarifying legislative intent with respect to the retroactive application of certain amendments made by chapter 2002-218, Laws of Florida; providing for application; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Dean—

CS for SB 2636—A bill to be entitled An act relating to state conservation lands; providing legislative findings; directing the Office of Program Policy Analysis and Government Accountability to conduct a study of state land management activities and submit the study to the Legislature; directing the Department of Environmental Protection to issue a request for proposals or invitation to negotiate for a public-private land management demonstration pilot project for conservation lands; specifying requirements for the project; requiring the Legislative Budget Commission to approve a plan for the proposal; requiring the selected contractor to prepare a land management plan, submit the plan to the Acquisition and Restoration Council for review and approval, and provide a copy to the Legislative Budget Commission; providing for a limit on the final cost of the pilot project; requiring a third-party certified auditor to prepare and submit a report on the project to the Governor, the Legislature, the Acquisition and Restoration Council, and the Legislative Budget Commission; requiring the Acquisition and Restoration Council to review, evaluate, and comment on the report; providing an effective date.

By the Committee on Health Regulation; and Senator Baker—

CS for SB 2658—A bill to be entitled An act relating to the licensure of home health agencies, home medical equipment providers, and health care clinics; designating Miami-Dade County as a health care fraud area of special concern for certain purposes; creating s. 408.8065, F.S.; providing requirements for licensure of home health agencies, home medical equipment providers, and health care clinics; requiring the posting of a surety bond in a specified minimum amount under certain circumstances; requiring demonstration of financial viability; providing limitations on licensing of home health agencies in certain counties; providing an exception for existing applicants accredited by an organization

recognized by the Agency for Health Care Administration; providing penalties; providing an effective date.

By the Committee on Criminal Justice; and Senator Smith—

CS for SB 2680—A bill to be entitled An act relating to homeless persons; amending s. 775.085, F.S.; reclassifying offenses evidencing prejudice based on the homeless status of the victim; providing an effective date.

By the Committees on Military Affairs and Domestic Security; and Military Affairs and Domestic Security—

CS for SB 2684—A bill to be entitled An act relating to seaport security; creating s. 311.115, F.S.; establishing the Seaport Security Standards Advisory Council; providing for membership and terms of office; providing duties; requiring reports to the Governor and Legislature; amending s. 311.12, F.S.; revising provisions relating to seaport security; authorizing the Department of Law Enforcement to exempt all or part of a port from certain security requirements; providing criteria for determining eligibility to enter secure or restricted areas; establishing a statewide access eligibility reporting system within the department; requiring all access eligibility to be submitted to the department and retained within the system; deleting the requirement that seaports promptly notify the department of any changes in access levels; requiring changes in access eligibility status to be reported within a certain time; providing for fees; providing a procedure for obtaining access to secure and restricted areas using federal credentialing; specifying the process for conducting criminal history checks and for the retention of fingerprint information; providing a criminal penalty for providing false information related to obtaining access to restricted seaport areas; providing additional criminal offenses that disqualify a person from employment by or access to a seaport; deleting the requirement that the department notify the port authority that denied employment of the final disposition of a waiver request from background screening requirements; allowing, rather than requiring, certain applications for a waiver from security requirements to be submitted to the Domestic Security Council for review; requiring a copy of the department’s legislative report to be provided to each seaport governing body or authority; requiring the department to provide assessment briefings to seaport authority governing boards and local regional domestic security task force co-chairs at least once per year; requiring certain board members to attend assessment briefings; adding the department to those entities responsible for allocating funds for security projects; repealing s. 311.111, F.S., relating to unrestricted and restricted public access areas and secured restricted access areas; repealing s. 311.125, F.S., relating to the Uniform Port Access Credential System and the Uniform Port Access Credential Card; amending s. 311.121, F.S.; revising the membership of the Seaport Security Officer Qualification, Training, and Standards Coordinating Council; amending ss. 311.123, 311.124, 311.13, 943.0585, and 943.059, F.S.; conforming terms and cross-references; directing the Office of Drug Control to commission an update of the Florida Seaport Security Assessment 2000, which shall be presented to the Legislature by a certain date; authorizing the Department of Law Enforcement to create a pilot project to implement the seaport employee access system; transferring certain equipment from the Department of Highway Safety and Motor Vehicles to the Department of Law Enforcement for use in the project; providing a contingency with respect to assessment briefings conducted by the department; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

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

CS for SB 784—A bill to be entitled An act relating to job opportunities for youth; providing legislative intent to support statewide vocational training and placement provided to at-risk youth through the Jobs for Florida’s Graduates program; requiring that a proposal for funding a statewide summer program for youth employment be submitted to the Florida Endowment Foundation for Florida’s Graduates; providing criteria concerning the proposal; requiring a report to the Legislature; providing for the Florida Endowment Foundation for Florida’s Graduates to be the fiscal agent for the Jobs for Florida’s Graduates program;

amending s. 561.121, F.S.; revising the percentage of monthly collections of the excise taxes on alcoholic beverages to be deposited into the Alcoholic Beverage and Tobacco Trust Fund; requiring a certain percentage of net collections to be deposited into the Grants and Donations Trust Fund within the Florida Endowment Foundation for Florida's Graduates to operate the statewide summer program for youth employment; amending s. 563.05, F.S.; clarifying a unit of measurement; providing an effective date.

—was referred to the Committee on Finance and Tax; and the Policy and Steering Committee on Ways and Means.

By the Committee on Communications, Energy, and Public Utilities; and Senator King—

CS for SB 1154—A bill to be entitled An act relating to energy; amending s. 366.92, F.S.; revising definitions and providing additional definitions; requiring that electric utilities meet or exceed specified standards for the production or purchase of clean energy; establishing a schedule for compliance; providing a penalty if a utility fails to meet the standards; authorizing the Public Service Commission to excuse certain electric utilities from compliance under specified conditions; requiring the commission to adopt rules; requiring an annual report to the Legislature; amending s. 366.93, F.S.; authorizing the Public Service Commission to allow a utility to recover the costs of converting an existing fossil fuel plant to a biomass plant under certain conditions; encouraging utilities to pursue joint ownership of nuclear power plants; requiring that certain costs be shared; creating s. 366.99, F.S.; providing a short title; providing legislative findings with respect to the need to reduce greenhouse gas emissions through the direct, end-use of natural gas; defining terms; authorizing a utility to establish a surcharge for the purpose of constructing natural gas installations in areas that lack natural gas service; providing limitations on the surcharge; providing procedures for determining the surcharge and making filings to the commission; requiring the commission to conduct limited proceedings to determine the amount of the surcharge; providing for future expiration

of provisions authorizing the surcharge; amending s. 377.6015, F.S.; providing that terms for members of the Florida Energy and Climate Commission begin and end on specified dates; amending s. 525.09, F.S.; imposing certain fees, to be used for carbon-reduction, on alternative fuel containing alcohol and imposing an additional charge on gasoline, diesel, kerosene used for certain purposes, and #1 fuel oil for sale or use in the state; providing requirements for remitting the fee; amending s. 525.10, F.S.; providing for the deposit of carbon-reduction fees into the Florida Renewable Energy Trust Fund and the General Revenue Fund; requiring the Florida Energy and Climate Commission to prepare a report that identifies ways in which to increase the energy-efficiency practices of low-income households; requiring the report to include certain determinations and recommendations; requiring that the report be submitted to the Legislature by a specified date; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Finance and Tax; and the Policy and Steering Committee on Ways and Means.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 24 and April 1 were corrected and approved.

CO-INTRODUCERS

Senators Baker—SB 130, SB 1972; Bullard—CS for SB 2466, SR 2764; Peadar—SB 578; Rich—SB 578; Storms—CS for SB 1978; Wilson—SB 2018

RECESS

On motion by Senator Villalobos, the Senate recessed at 11:03 a.m., until Tuesday, April 7 at 11:00 a.m., for a joint session in the House chamber, and upon call of the President, for the purpose of holding committee meetings and conducting other Senate business.