



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President Atwater at 1:15 p.m. A quorum present— 38:

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

Excused: Senators Bullard and Villalobos

## PRAYER

The following prayer was offered by Pastor John L. Underdahl, St. Paul Lutheran Church, Niceville:

Gracious God, yesterday is gone, tomorrow does not yet belong to us, so let me focus on today!

As we come back to give direction and leadership to this state, give me (as a senator) a new spirit of enthusiasm, excitement and rekindle my desire to do the work of the people. These may well be difficult times; but you, God, do some of your best work when things are not going so well. So teach me to seek your wisdom and be open to the touch of your spirit.

Help this Senate body to come together as a team of mountain climbers, who work together to climb over the barriers and build bridges to the summit of wise and good government. We pray that the decisions made in this chamber may lead to continued quality education in our schools, health and safety in our communities, care for our poor and less fortunate, and a return, we pray, to a growing economy. Help us with our budget!

Be with each individual Senator; give order to their lives and bless their families. Where there is need, give your healing presence to them, Lord.

We ask you to bless our President, our Governor, the leadership of the Senate, the House of Representatives, and thank you, Lord, for letting us live in a place called, "The Land of Flowers" and help us to keep it that way. Give us a good day. We ask all these things in your most holy name. Amen.

## PLEDGE

Senate Pages Jennifer "Jenn" Beatty and Lauren Todd of Ft. Myers; Kristilee Ginther of Chuluota; and John Ketring of Perry, 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. Jorge Luna of Davie, sponsored by Senator Sobel, as doctor of the day. Dr. Luna specializes in Family Practice.

## ADOPTION OF RESOLUTIONS

On motion by Senator Peaden—

By Senator Peaden—

**SR 1158**—A resolution commending the osteopathic physicians of this state and recognizing April 15, 2009, as "Osteopathic Medicine Day."

WHEREAS, osteopathic physicians provide health care services that account for more than 59 million patient visits in this country each year, and

WHEREAS, this state has four accredited osteopathic hospitals, two osteopathic medical colleges, and the third-largest osteopathic physician population in the United States, and

WHEREAS, osteopathic manipulation of the musculoskeletal system is a viable and proven technique for many diagnoses and treatments and provides an alternative to many drug therapies, and

WHEREAS, osteopathic physicians provide comprehensive medical care, including preventive medicine, diagnoses, and the appropriate use of drugs, surgery, manipulation, and hospital referrals, NOW, THEREFORE,

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

That the Florida Senate commends the osteopathic physicians of this state for their contributions to the health and welfare of the residents of Florida and recognizes April 15, 2009, as "Osteopathic Medicine Day."

—was introduced out of order and read by title. On motion by Senator Peaden, **SR 1158** was read the second time in full and adopted.

At the request of Senator Bennett—

By Senator Bennett—

**SR 722**—A resolution recognizing Paul Azinger, captain of the victorious 2008 United States Ryder Cup team.

WHEREAS, Paul Azinger was born on January 6, 1960, in Holyoke, Massachusetts, moved with his family to Florida when he was 2 months old, and today resides in Bradenton, Florida, and

WHEREAS, Paul Azinger graduated from Sarasota High School, Brevard Community College, and Florida State University, where he was a member of the men's varsity golf team, and

WHEREAS, since his entry into the world of professional golf in 1981, Paul Azinger has won 15 tournaments, including 12 on the PGA Tour, most notably the 1992 Tour Championship and the 1993 PGA Championship, and

WHEREAS, Paul Azinger has played on four United States Ryder Cup teams, including the winning teams of 1991 and 1993, and

WHEREAS, Ryder Cup competition began in 1927, following an exhibition match in 1926 between a team representing professionals from the United States and a team representing the British PGA, and

WHEREAS, the Ryder Cup Trophy is awarded biennially to the winner of an event, called the Ryder Cup Matches, which is contested between teams from Europe and the United States, is jointly administered by the PGA of America and the PGA European Tour, and is held alternately at sites in the United States and Europe, and

WHEREAS, following years of dominance by the United States, in which its team won 20 of 21 matches between 1935 and 1983, the European team began a period of supremacy, winning 8 of 11 matches between 1985 and 2006, including three straight victories in 2002, 2004, and 2006, and

WHEREAS, Paul Azinger was named captain of the 2008 United States Ryder Cup team consisting of players Chad Campbell, Stewart Cink, Ben Curtis, Jim Furyk, J.B. Holmes, Anthony Kim, Justin Leonard, Hunter Mahan, Phil Mickelson, Kenny Perry, Steve Stricker, and Boo Weekley and assistant captains Olin Browne, Raymond Floyd, and Dave Stockton, and

WHEREAS, on September 19-21, 2008, at the Valhalla Golf Club in Louisville, Kentucky, Paul Azinger, as captain, led the United States Ryder Cup team to its first Ryder Cup victory since 1999, NOW, THEREFORE,

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

That the Senate recognizes and commends Floridian Paul Azinger for his leadership of the victorious 2008 United States Ryder Cup team, his efforts as a player on earlier United States Ryder Cup teams, and his accomplishments in and contributions to professional golf.

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

—**SR 722** was introduced, read and adopted by publication.

### BILLS ON THIRD READING

**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 third time by title.

On motion by Senator Wise, **CS for CS for SB 552** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dean	Gardiner
Alexander	Detert	Gelber
Altman	Deutch	Haridopolos
Aronberg	Diaz de la Portilla	Hill
Baker	Dockery	Jones
Bennett	Fasano	Joyner
Constantine	Gaetz	Justice
Crist	Garcia	King

Lawson	Rich	Sobel
Lynn	Richter	Storms
Oelrich	Ring	Wilson
Peaden	Siplin	Wise
Pruitt	Smith	

Nays—None

**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; amending s. 744.1083, F.S.; revising provisions relating to the authorization of certain colleges or universities to register as a professional guardian; providing an effective date.

—as amended April 2 was read the third time by title.

On motion by Senator Wise, **CS for CS for SB 606** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**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 third time by title.

On motion by Senator Wise, **SB 1248** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**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 third time by title.

On motion by Senator Justice, **CS for SB 198** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**SENATOR WISE PRESIDING**

**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 third time by title.

On motion by Senator Fasano, **CS for CS for SB 1062** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Wise

Consideration of **SB 1432** was deferred.

**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 third time by title.

Senator Constantine moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (343680) (with title amendment)**—In title, delete line 8 and insert: lobbyists or public officers and employees for

On motion by Senator Constantine, **SB 252** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Mr. President

**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 third time by title.

On motion by Senator Ring, **CS for CS for SB 160** was passed and certified to the House. The vote on passage was:

## Yeas—38

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

## Nays—None

**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 third time by title.

On motion by Senator Fasano, **CS for SB 408** was passed and certified to the House. The vote on passage was:

## Yeas—38

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

## Nays—None

**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.; 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.; 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.

—as amended April 2 was read the third time by title.

On motion by Senator Gaetz, **CS for SB 574** as amended was passed and certified to the House. The vote on passage was:

## Yeas—38

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

## Nays—None

**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.

—as amended April 2 was read the third time by title.

On motion by Senator Oelrich, **CS for SB 620** as amended was passed and certified to the House. The vote on passage was:

## Yeas—38

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

## Nays—None

Consideration of **CS for SB 702** was deferred.

**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 docu-

ment 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 third time by title.

On motion by Senator Oelrich, **CS for CS for SB 766** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**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 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 material fact in an application to act as a guardian ad litem; providing an effective date.

—as amended April 2 was read the third time by title.

On motion by Senator Joyner, **CS for SB 1018** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**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 third time by title.

On motion by Senator Fasano, **CS for SB 1312** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**SPECIAL ORDER CALENDAR**

On motion by Senator Altman—

**SB 1124**—A bill to be entitled An act relating to community residential homes; amending s. 419.001, F.S.; defining the term “planned residential community”; providing that community residential homes that have six or fewer residents located within a planned residential community are not required to obtain local government approval regardless of their proximity to each other; providing an effective date.

—was read the second time by title.

**MOTION**

On motion by Senator Altman, the rules were waived to allow the following amendment to be considered:

Senator Altman moved the following amendment which was adopted:

**Amendment 1 (446764)**—Delete lines 52-81 and insert:

(f) “Planned residential community” means a local government-approved, planned unit development having amenities that are designed to serve residents who have developmental disabilities and may contain two or more community residential homes, licensed by the Agency for Persons with Disabilities, which are contiguous to one another.

(2) Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family unit and a noncommercial, residential use for the purpose of local laws and ordinances. ~~Such homes of six or fewer residents which otherwise meet the definition of a community residential home:~~

(a) Shall be allowed in single-family or multifamily zoning without approval by the local government approval if they are ~~provided that such homes shall~~ not be located within a radius of 1,000 feet of another existing such home that has with six or fewer residents. Such homes ~~are with six or fewer residents shall~~ not be required to comply with the notification provisions of this section if ~~provided that~~, prior to licensure, the sponsoring agency provides the local government with the most recently published data compiled from the licensing entities that identifies all community residential homes within the jurisdictional limits of the

local government in which the proposed site is to be located in order to show that no other community residential home is within a radius of 1,000 feet of the proposed home ~~with six or fewer residents~~. At the time of home occupancy, the sponsoring agency must notify the local government that the home is licensed by the licensing entity.

*(b) If located within a planned residential community, do not require local government approval regardless of their proximity to each other. This subsection does not limit the authority of a local government to approve or deny a planned unit development.*

Pursuant to Rule 4.19, **SB 1124** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

**SB 1210**—A bill to be entitled An act relating to a review of the Department of Citrus under the Florida Government Accountability Act; reenacting ss. 20.29, 601.04, and 601.05, F.S., relating to the Department of Citrus and the Florida Citrus Commission; repealing s. 601.154, F.S., relating to the Citrus Stabilization Act of Florida; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1210** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

**CS for SB 742**—A bill to be entitled An act relating to sinkhole losses; creating s. 627.7063, F.S.; defining the term “sinkhole loss prevention ordinance”; requiring the Financial Services Commission to adopt a building code effectiveness grading schedule by rule to evaluate the effectiveness of sinkhole loss prevention ordinances in reducing the number of sinkhole claims and the severity of sinkhole losses; requiring insurance discounts and surcharges based on the grade assigned to a sinkhole loss prevention ordinance; providing an effective date.

—was read the second time by title.

Senator Baker moved the following amendment which was adopted:

**Amendment 1 (802036) (with title amendment)**—Between lines 15 and 16 insert:

Section 1. Subsection (5) is added to section 627.706, Florida Statutes, to read:

627.706 Sinkhole insurance; catastrophic ground cover collapse; definitions.—

*(5) An insurer offering sinkhole coverage to policyholders before or after the adoption of s. 30, chapter 2007-1, Laws of Florida, may nonrenew the policies of policyholders maintaining sinkhole coverage in Pasco County or Hernando County, at the option of the insurer, and provide an offer of coverage to such policyholders which includes catastrophic ground cover collapse and excludes sinkhole coverage. Insurers acting in accordance with this subsection are subject to the following requirements:*

*(a) Policyholders must be notified that a nonrenewal is for purposes of removing sinkhole coverage, and that the policyholder is still being offered a policy that provides coverage for catastrophic ground cover collapse.*

*(b) Policyholders must be provided an actuarially reasonable premium credit or discount for the removal of sinkhole coverage and provision of only catastrophic ground cover collapse.*

*(c) Subject to the provisions of this subsection and the insurer's approved underwriting or insurability guidelines, the insurer shall provide each policyholder with the opportunity to purchase an endorsement to his or her policy providing sinkhole coverage and may require an inspection of the property before issuance of a sinkhole coverage endorsement.*

*(d) Section 624.4305 does not apply to nonrenewal notices issued pursuant to this subsection.*

And the title is amended as follows:

Delete line 2 and insert: An act relating to sinkhole losses; amending s. 627.706, F.S.; authorizing an insurer offering sinkhole coverage before or after a certain date to nonrenew the policies of policyholders maintaining sinkhole coverage in Pasco and Hernando Counties, at the option of the insurer, and provide an offer of coverage to such policyholders which includes catastrophic ground cover collapse and excludes sinkhole coverage; requiring that an insurer taking such action meet specified requirements; creating s.

Pursuant to Rule 4.19, **CS for SB 742** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

**SB 1030**—A bill to be entitled An act relating to the use of lights on motor vehicles; amending s. 316.2397, F.S.; authorizing vehicles owned, operated, or leased by any county correctional agency to show or display blue lights when responding to emergencies; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1030** was placed on the calendar of Bills on Third Reading.

On motion by Senator Joyner—

**CS for SB 2188**—A bill to be entitled An act relating to administrative procedures; amending s. 120.52, F.S.; revising the definition of the term “agency” for purposes of ch. 120, F.S.; amending s. 120.525, F.S.; requiring each agency to give notice of public meetings, hearings, and workshops on the agency’s website; requiring each agency to publish agendas on the agency’s website; amending s. 120.54, F.S.; revising the definition of the term “small business” with regard to special matters to be considered by an agency in rule adoption; requiring an agency to ensure that persons responsible for preparing a proposed rule be available at a public hearing regarding the proposed rule; requiring that certain materials submitted to the agency on or before the date of the final public hearing be considered by the agency and made a part of the record of the rulemaking proceeding; requiring that a change to a proposed rule be in response to written materials submitted to the agency within a specified time after the date of publication of the notice of intended agency action or submitted to the agency on or before the date of the final public hearing; requiring that a proposed rule become effective on a date specified in the notice of the agency’s intended action; requiring that the statement of an agency’s organization and operations be published on the agency’s website; providing that a rule that adopts federal standards becomes effective upon the date designated by the agency in the notice of intent to adopt the rule; amending s. 120.80, F.S.; deleting a provision that prohibits the Department of Environmental Protection from adopting the lowest regulatory cost alternative under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Joyner moved the following amendments which were adopted:

**Amendment 1 (849284) (with title amendment)**—Delete lines 42-94 and insert:

(1) “Agency” means *the following officers or governmental entities if acting pursuant to powers other than those derived from the constitution:*

*(a) The Governor; each state officer and state department, and each departmental unit described in s. 20.04; the Board of Governors of the State University System; the Commission on Ethics; the Fish and Wildlife Conservation Commission; a regional water supply authority; a regional planning agency; a multicounty special district, but only when a majority of its governing board is comprised of nonelected persons; educational units; and each entity described in chapters 163, 373, 380, and 582 and s. 186.504 in the exercise of all executive powers other than those derived from the constitution.*

*(b) Each officer and governmental entity in the state having statewide jurisdiction or jurisdiction in more than one county. †*

- ~~1. State officer and state department, and each departmental unit described in s. 20.04.~~
- ~~2. Authority, including a regional water supply authority.~~
- ~~3. Board, including the Board of Governors of the State University System and a state university board of trustees when acting pursuant to statutory authority derived from the Legislature.~~
- ~~4. Commission, including the Commission on Ethics and the Fish and Wildlife Conservation Commission when acting pursuant to statutory authority derived from the Legislature.~~
- ~~5. Regional planning agency.~~
- ~~6. Multicounty special district with a majority of its governing board comprised of non-elected persons.~~
- ~~7. Educational units.~~
- ~~8. Entity described in chapters 163, 373, 380, and 582 and s. 186.504.~~

(c) Each officer and governmental entity in the state having jurisdiction in one county or less than one county ~~other unit of government in the state, including counties and municipalities,~~ to the extent they are expressly made subject to this act by general or special law or existing judicial decisions.

This definition does not include any *municipality or legal entity created solely by a municipality; any legal entity or agency created in whole or in part pursuant to part II of chapter 361; ~~part II,~~ any metropolitan planning organization created pursuant to s. 339.175; ; any separate legal or administrative entity created pursuant to s. 339.175 of which a metropolitan planning organization is a member; ; an expressway authority pursuant to chapter 348 or transportation authority under chapter 349; or ; any legal or administrative entity created by an interlocal agreement pursuant to s. 163.01(7), unless any party to such agreement is otherwise an agency as defined in this subsection, ~~or any multicounty special district with a majority of its governing board comprised of elected persons; however, this definition shall include a regional water supply authority.~~*

Section 2. *The amendments to subsection 120.52(1), Florida Statutes, made by this act are not intended to effect a substantive change in meaning of that subsection. The amendments are intended to clarify and simplify existing law and are intended to be consistent with judicial interpretations of that statute.*

And the title is amended as follows:

Delete line 4 and insert: “agency” for purposes of ch. 120, F.S.; providing legislative intent; amending s.

**Amendment 2 (603870) (with title amendment)**—Delete line 108 and insert: *with any meeting materials available in electronic form excluding confidential and exempt information, shall*

And the title is amended as follows:

Delete line 8 and insert: *agendas and certain other materials on the agency’s website; amending s. 120.54,*

**Amendment 3 (783418) (with title amendment)**—Delete lines 265-277 and insert:*When a public hearing is held, the agency must ensure that staff are available to explain the agency’s proposal and to respond to questions or comments regarding the rule. If the agency head is a board or other collegial body created under s. 20.165(4) or s. 20.43(3)(g), and one or more requested public hearings is scheduled, the board or other collegial body shall conduct at least one of the public hearings itself and may not delegate this responsibility without the consent of those persons requesting the public hearing. Any material pertinent to the issues under consideration submitted to the agency within 21 days after the date of publication of the notice or submitted to the agency between the date of publication of the notice and the end of the final ~~at a~~ public*

And the title is amended as follows:

Delete lines 12-16 and insert: *agency to ensure that staff be available at a public hearing regarding the proposed rule; requiring that certain*

materials submitted to the agency between the date of publication of the notice and the end of the final public hearing be considered by

**Amendment 4 (849100) (with title amendment)**—Delete line 304 and insert: *to the agency between the date of publication of the notice and received on or before the end date of the final public*

And the title is amended as follows:

Delete lines 22-23 and insert: *agency action or submitted to the agency between the date of publication of the notice and the end of the final public hearing; requiring that a*

**MOTION**

On motion by Senator Smith, the rules were waived to allow the following amendment to be considered:

Senator Smith moved the following amendment which was adopted:

**Amendment 5 (574206) (with title amendment)**—Delete line 555 and insert:

Section 5. *Notwithstanding a law or rule that requires a project that is the subject of a license to commence within a specific time period, an agency may grant a waiver or variance to extend the commencement period if the licensee demonstrates that the delay is the result of the economic conditions existing as of January 1, 2009, and if the license was issued before July 1, 2009, free and clear of all administrative and judicial proceedings. A petition for waiver or variance must be submitted to the agency before June 31, 2010.*

Section 6. This act shall take effect July 1, 2009.

And the title is amended as follows:

Delete line 34 and insert: *under certain circumstances; authorizing an agency to grant a petition for a variance or a waiver to a rule that requires the commencement of a project that is the subject of a license within a specific time period; providing conditions for the grant of petition for a variance or a waiver; providing a timeframe; providing an effective*

Pursuant to Rule 4.19, **CS for SB 2188** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Fasano, by two-thirds vote **SB 400, SB 410, SB 464, SB 534, SB 540, SB 562, SB 882, SB 966, SB 1056, SB 1214, SB 1366, SB 1420, SM 1568, SB 1594, SB 1820, and SB 1882** were withdrawn from the committees of reference and further consideration.

On motion by Senator Garcia, by two-thirds vote **SB 2202 and SB 2568** were withdrawn from the committees of reference and further consideration.

**THE PRESIDENT PRESIDING**

On motion by Senator Haridopolos, by two-thirds vote **SB 2246** was withdrawn from the Committee on Governmental Oversight and Accountability.

**REPORTS OF COMMITTEES**

The Policy and Steering Committee on Energy, Environment, and Land Use submits the following bills to be placed on the Special Order Calendar for Tuesday, April 14, 2009: SB 1124 and SB 1210.

Respectfully submitted,  
James E. “Jim” King, Jr.,  
Chair

The Policy and Steering Committee on Commerce and Industry submits the following bills to be placed on the Special Order Calendar for Tuesday, April 14, 2009: CS for SB 742 and SB 1030.

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 Tuesday, April 14, 2009: CS for SB 2188.

Respectfully submitted,  
*Mike Haridopolos, Chair*

The Committee on Community Affairs recommends the following pass: CS for SB 998

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

The Special Master on Claim Bills recommends the following pass: SB 40 with 1 amendment

The Special Master on Claim Bills recommends the following not pass: SB 52

**The bills were referred to the Committee on Criminal Justice under the original reference.**

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 2426

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

The Committee on Community Affairs recommends the following pass: SB 418; SB 656; SB 1026

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 1644

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

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 650 with 1 amendment

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 538 with 3 amendments

**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 1122 with 1 amendment

The Committee on Community Affairs recommends the following pass: CS for SB 274 with 6 amendments

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

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 1304

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

The Committee on Community Affairs recommends the following pass: CS for SB's 674 and 1422; SB 1556; SB 2266

**The bills were referred to the Committee on Judiciary under the original reference.**

The Committee on Community Affairs recommends the following pass: CS for SB 1054

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

The Committee on Community Affairs recommends the following pass: CS for SB 1834

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 270; CS for SB 2324; CS for SB 2374

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

The Committee on Environmental Preservation and Conservation recommends the following pass: CS for SB 2326

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

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 342

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

The Policy and Steering Committee on Ways and Means recommends the following pass: CS for SB 1658; CS for SB 1660; CS for SB 1662; CS for SB 1664; CS for SB 1718; CS for SB 1720; CS for SB 1722; CS for SB 1726; CS for SB 1728; CS for SB 1740; CS for SB 1742; CS for SB 1744; CS for SB 1748; CS for SB 1750; CS for SB 1754; CS for SB 1758; CS for SB 1782; CS for SB 1786; CS for SB 2574

**The bills were placed on the Calendar.**

The Committee on Health Regulation recommends a committee substitute for the following: SB 918

**The bill with committee substitute attached was referred to the Committee on Banking and Insurance under the original reference.**

The Committee on Communications, Energy, and Public Utilities recommends committee substitutes for the following: SB 2092; SB 2126

**The bills with committee substitute attached were referred to the Committee on Commerce under the original reference.**

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 604; CS for SB 1888

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2078

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

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The Committee on Finance and Tax recommends a committee substitute for the following: SB 744

**The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.**

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The Committee on Judiciary recommends a committee substitute for the following: SB 1318

**The bill with committee substitute attached was referred to the Committee on Ethics and Elections under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2036

The Committee on Commerce recommends committee substitutes for the following: SB 2376; SB 2592

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for SB 1154

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 1000

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

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1950

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: CS for SB 114

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1462

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 1004; CS for SB 2536

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

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The Committee on Community Affairs recommends a committee substitute for the following: SB 624

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 2458

The Committee on Ethics and Elections recommends a committee substitute for the following: CS for SB 1182

The Committee on Health Regulation recommends a committee substitute for the following: SB 2614

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 126

The Policy and Steering Committee on Ways and Means recommends committee substitutes for the following: SB 1798; SB 1800; SB 1802; SB 1804; SB 1806

**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.**

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The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 2422

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: CS for CS for SB 1276; CS for SB 2404

**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.**

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The Committee on Finance and Tax recommends a committee substitute for the following: CS for SB 1996

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1614

The Committee on Higher Education recommends committee substitutes for the following: SB 844; SB 2096; SB 2682

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

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The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 2166

The Committee on Commerce recommends committee substitutes for the following: SB 2000; CS for SB 2630

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 2276

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

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The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for SB 1156

The Committee on Finance and Tax recommends a committee substitute for the following: CS for SB 2430 and SB 1960

The Committee on Higher Education recommends committee substitutes for the following: CS for SB 168; CS for SB 1138

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 904

**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.**

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The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 1290; SB 1902; SB 2158

**The bills with committee substitute attached were referred to the Committee on Rules under the original reference.**

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The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: CS for SB 1796

The Policy and Steering Committee on Ways and Means recommends committee substitutes for the following: CS for SB 556; CS for SB 788; CS for SB 1676; CS for SB 1696; CS for SB 1724; CS for SB 1778; CS for SB 1780; CS for SB 1840; CS for SB 2108; CS for SB 2694

The Committee on Transportation recommends a committee substitute for the following: SB 672

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

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By the Policy and Steering Committee on Ways and Means—

**SB 2600**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2009, and ending June 30, 2010, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

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

By the Policy and Steering Committee on Ways and Means—

**SB 2602**—A bill to be entitled An act implementing the 2009-2010 General Appropriations Act; providing legislative intent; 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 of Corrections 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; amending s. 287.057, F.S.; delaying the expiration of provisions authorizing the Department of Health to enter into an agreement with a specified private contractor to finance, design, and construct a hospital for the treatment of patients with active tuberculosis; amending s. 394.908, F.S.; delaying the expiration of provisions requiring that funds appropriated for forensic mental health treatment services be allocated to the areas of the state having the greatest demand for services and treatment capacity; providing allocation requirements for specified funds appropriated for mental health services; requiring the Department of Children and Family Services to ensure that information is entered into the Florida Safe Families Network; requiring coordination between the department and the Office of the State Courts Administrator to provide information relating to child welfare cases; requiring a report to the Governor and Legislature; 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. 253.034, F.S.; authorizing the deposit of funds derived from the sale of property by the Department of Citrus into the Citrus Advertising Trust Fund; providing for the expiration of such authorization; 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; 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. 332.007, F.S.; authorizing the Department of Transportation to fund operational and maintenance assistance security projects at publicly owned public-use airports; providing for the future expiration of such authority and the reversion of statutory text; 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; creating the Florida Homebuyer Opportunity Program within the Florida Housing Finance Corporation; providing legislative intent; defining the term "anticipated federal assistance"; providing duties for the corporation to implement and administer the program; providing certain requirements for the program; requiring that the administration of the program be consistent with certain Federal Housing Administration requirements; requiring that the corporation negotiate with private lenders to borrow additional funds to support the program; providing for future expiration of the program; providing that the annual salary of the members of the Legislature be reduced by 6 percent; providing for future expiration; requiring that each agency develop a wireless device assignment plan limiting the use of cellular telephones, personal digital assistants, and other devices; requiring that each agency review such use and submit a report to the Legislature by a specified date; providing that the report contain certain information; reenacting s. 215.32(2)(b), F.S., relating to the transfer of moneys from trust funds to the General Revenue Fund; reenacting s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; repealing s. 49 of chapter 2008-153, Laws of Florida; abrogating the future repeal of an amendment made by that chapter to s. 215.5601(4), F.S., and abrogating the revision of the text of that subsection to that in existence on June 30, 2009, with specified exceptions; providing a statement of public interest with respect to the issuance of new debt to address a critical state emergency; providing for future expiration; limiting the use of state funds for travel by state employees to activities that are critical to each state agency's mission; requiring that each agency head approve such travel in writing; providing exceptions; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; 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 for severability; providing effective dates.

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

### ADDITIONAL REFERENCES

By Senator Pruitt—

**SB 52**—A bill to be entitled An act for the relief of Eric Brody by the Broward County Sheriff's Office; providing for an appropriation to compensate Eric Brody for injuries sustained as a result of the negligence of the Broward County Sheriff's Office; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Criminal Justice.

## COMMITTEE SUBSTITUTES

## FIRST READING

By the Committees on Education Pre-K - 12; and Environmental Preservation and Conservation; and Senators Justice, Bullard, Jones, and Joyner—

**CS for CS for SB 114**—A bill to be entitled An act relating to environmental cleanup; amending s. 376.30702, F.S.; revising contamination notification provisions; requiring individuals responsible for site rehabilitation to provide notice of site rehabilitation to specified entities; revising provisions relating to the content and delivery of such notice; requiring local governments to provide specified notice of site rehabilitation; requiring the Department of Environmental Protection to verify compliance with notice requirements; authorizing the department to pursue enforcement measures for noncompliance with notice requirements; requiring the department to provide specified notice to certain property owners; revising the department's contamination notification requirements for certain public schools; requiring the department to provide specified notice to private K-12 schools and child care facilities; requiring the department to provide specified notice to public schools within a specified area; providing notice requirements; creating s. 376.30717, F.S.; creating the Petroleum Restoration Program Advisory Board; providing for membership, terms, appointment of a chair and vice chair, reimbursement for expenses, and meetings; requiring the board to review the Petroleum Restoration Program; requiring an annual report to the Secretary of Environmental Protection and the Legislature; providing for the content of the report; providing an effective date.

By the Committees on Judiciary; and Children, Families, and Elder Affairs; and Senators Dockery, Bennett, Lynn, and Bullard—

**CS for CS for SB 126**—A bill to be entitled An act relating to the confidential records of children; creating s. 39.00145, F.S.; requiring that the case record of a child under the supervision or in the custody of the Department of Children and Family Services be maintained in a complete and accurate manner; specifying who has access to the case record; authorizing the court to directly release the child's records to certain entities; providing that entities that have access to confidential information concerning a child may share it with other entities that provide services benefiting children; providing for exceptions for the sharing of confidential information under certain circumstances; amending s. 39.202, F.S.; expanding the list of persons or entities that have access to child abuse records; revising how long the department must keep such records; requiring the department to provide notice of how the child's records may be obtained after the child leaves the department's custody; authorizing the department to adopt rules; providing an effective date.

By the Committees on Higher Education; and Criminal Justice; and Senators Joyner, Rich, and Wilson—

**CS for CS for SB 168**—A bill to be entitled An act relating to human trafficking; creating within the Department of Children and Family Services the Florida Statewide Task Force on Human Trafficking; prescribing the membership of the task force; providing for members of the task force to serve without compensation or reimbursement for per diem and travel expenses; providing specific responsibilities and duties of the task force and its members; requiring that the task force prepare a final report by a specified date; providing duties of the Florida State University Center for the Advancement of Human Rights; abolishing the task force on a specified date; providing an effective date.

By the Policy and Steering Committee on Ways and Means; the Committee on Health Regulation; and Senators Gaetz, Bennett, Detert, Dean, Wise, Smith, Fasano, Altman, Siplin, Pruitt, Lawson, Haridopolos, Lynn, and Baker—

**CS for CS for SB 556**—A bill to be entitled An act relating to the Medicaid low-income pool and disproportionate share program; amending s. 409.911, F.S.; expanding the membership of the Medicaid Low-Income Pool Council; providing for composition of expanded member-

ship; designating a council chair; providing restrictions on specified appointments; providing an effective date.

By the Committees on Judiciary; and Criminal Justice; and Senators Fasano and Joyner—

**CS for CS for SB 604**—A bill to be entitled An act relating to confidential informants; creating Rachel's Law; defining terms; requiring a law enforcement agency that uses confidential informants to disclose certain information to persons who are requested to serve as confidential informants; providing that a law enforcement agency must provide a person who is requested to serve as a confidential informant the opportunity to consult with legal counsel; requiring training for persons involved in the recruitment and use of confidential informants; requiring a law enforcement agency to adopt policies and procedures to preserve the safety of confidential informants, law enforcement personnel, target offenders, and the public; requiring a law enforcement agency that uses confidential informants to address the recruitment, control, and use of confidential informants in policies and procedures of the agency; requiring a law enforcement agency to establish policies and procedures to assess the suitability of using a person as a confidential informant; requiring a law enforcement agency to establish procedures to maintain the security of records relating to confidential informants; requiring a law enforcement agency to periodically review its practices regarding confidential informants; providing that the act does not grant any right or entitlement to a confidential informant or a person who is requested to be a confidential informant; providing an effective date.

By the Committee on Community Affairs; and Senator Fasano—

**CS for SB 624**—A bill to be entitled An act relating to law enforcement officers and correctional officers; amending s. 112.532, F.S.; providing that a law enforcement officer or correctional officer is entitled to specified rights if the officer is subject to suspension in a disciplinary proceeding; providing that a law enforcement officer or correctional officer is entitled to review witness statements by other officers and other existing evidence before the officer under investigation is interrogated; providing that time-limitation periods will be tolled during disciplinary proceedings under certain specified circumstance; amending s. 112.533, F.S.; authorizing a law enforcement officer or correctional officer who is subject to an investigation, and the officer's legal counsel, to review specified documents and recordings before the investigative interview; amending s. 112.534, F.S.; providing procedures and remedies to the officer if an agency intentionally fails to comply with specified provisions; providing that the officer bears the burden of proof to establish intentional violations; providing that the standard of proof is a preponderance of the evidence; providing an effective date.

By the Committee on Transportation; and Senator Pruitt—

**CS for SB 672**—A bill to be entitled An act relating to road designations; designating the Stan Mayfield Memorial Highway in Indian River and Osceola Counties; designating the Kenneth H. "Buddy" MacKay and Jim H. Williams Memorial Bridge in Ocala; designating the Trooper Ronald Gordon Smith Memorial Bridge in Citrus County; designating the Coach Jermaine D. Hall Memorial Highway in Duval County; designating Orange Bowl Way in Miami Lakes; designating the Andrew J. Capeletti Memorial Bridge in Miami-Dade County; designating the Johnny C. Treadwell Highway in Lake County; designating John Bruce Sweeny Street in St. Johns County; designating the Heather Hurd Memorial Highway in Polk County; designating the Trooper Charles Eugene Campbell Memorial Highway in Taylor County; directing the Department of Transportation to erect suitable markers; designating a specified portion of Southwest 67th Avenue in the City of South Miami and the Village of Pinecrest in Miami-Dade County as a state historic road; prohibiting the expenditure of public funds for certain purposes; providing construction; directing the Division of Historical Resources of the Department of State to provide for the erection of suitable markers; providing an effective date.

By the Committee on Finance and Tax; and Senators Altman and Storms—

**CS for SB 744**—A bill to be entitled An act relating to homestead assessments; amending s. 193.155, F.S.; revising criteria under which transfer of homestead property is not considered a change of ownership; providing construction; providing an effective date.

By the Policy and Steering Committee on Ways and Means; the Committee on Regulated Industries; and Senators Jones and King—

**CS for CS for SB 788**—A bill to be entitled An act relating to a gaming compact between the State of Florida and the Seminole Tribe of Florida; defining terms; providing that the previous compact between the Tribe and the Governor is not approved or ratified by the Legislature; directing the Governor to negotiate a gaming compact with the Tribe; specifying requirements and minimum standards for the compact; specifying the date on which the authority of the Governor to negotiate a compact expires; specifying games that may be authorized for play pursuant to the compact; specifying revenue sharing between the state and the Tribe; requiring the release of certain gaming revenues to the state; providing for the reduction of the Tribe's net win on which revenue sharing is based if additional Class III games are authorized under certain circumstances; providing for completion of the term of the compact in the event that the voters repeal a constitutional provision authorizing slot machines at certain pari-mutuel facilities; providing that the compact becomes void as the result of a judicial decision or decision of the Secretary of the United States Department of the Interior invalidating certain provisions of the compact; specifying limits on the term of a compact; limiting the number of facilities at which gaming may occur; specifying requirements for a central computer system on gaming facility premises; requiring that the system provide the state with access to certain data; specifying the authority of the state to oversee gaming activities by the Tribe; requiring medical professionals employed at the Tribe's gaming facilities to have certain minimum qualifications; requiring access for municipal or county emergency medical services; specifying minimum construction standards for the Tribe's gaming facilities; specifying minimum environmental standards; requiring the Tribe to establish procedures to dispose of tort claims; requiring the Tribe to maintain a minimum amount of general liability insurance for tort claims; prohibiting the Tribe or its insurer from invoking sovereign immunity under certain circumstances; requiring the Tribe to waive its sovereign immunity for disputes relating to the compact; requiring presuit arbitration of disputes relating to the compact; requiring the Tribe to maintain nondiscriminatory employment practices; requiring the Tribe to use its best efforts to spend its revenue in this state; providing legislative intent to review the compact; directing the Governor to negotiate agreements with Indian tribes in this state, subject to approval by the Legislature, relating to the application state taxes on Indian lands; amending s. 1013.737, F.S.; authorizing the state to pledge to use revenues from gaming activities to repay bonds; providing a contingent effective date.

By the Committee on Higher Education; and Senator Oelrich—

**CS for SB 844**—A bill to be entitled An act relating to postsecondary distance learning; creating s. 1004.091, F.S.; establishing the Florida Distance Learning Consortium; requiring that the Board of Governors and the State Board of Education jointly oversee the consortium; authorizing the consortium to enter into contracts for administrative services; providing duties for the consortium; amending ss. 1009.23 and 1009.24, F.S.; defining the term "distance learning course" for purposes of assessing a distance learning course user fee for community college and state university students; providing an effective date.

By the Committees on Judiciary; and Children, Families, and Elder Affairs; and Senator Deutch—

**CS for CS for SB 904**—A bill to be entitled An act relating to parental responsibility and time-sharing; amending s. 61.046, F.S.; redefining the terms "parenting plan," "parenting plan recommendations," and "time-sharing schedule"; amending s. 61.13, F.S., relating to child support, parenting plans, and time-sharing; deleting obsolete provisions; requiring a parenting plan to include the address to be used for determining school boundaries; revising the elements of the rebuttable

presumption that shared parental responsibility is detrimental to a child when a parent is convicted of a crime involving domestic violence; providing that the presumption applies to a crime that is a misdemeanor of the first degree or higher rather than to a crime that is a felony of the third degree or higher; allowing the modification of a parenting plan only upon a showing of substantially changed circumstances; requiring a court to make explicit written findings if, when determining the best interests of a child for the purposes of shared parental responsibility and visitation, the court considered evidence of domestic or sexual violence and child abuse, abandonment, or neglect; amending s. 61.13001, F.S., relating to parental relocation; deleting terms and redefining the terms "other person," "parent," and "relocation"; substituting the term "access to" for "visitation"; deleting provisions relating to the requirement for a Notice of Intent to Relocate and substituting procedures relating to filing a petition to relocate; requiring a hearing on a motion seeking a temporary relocation to be held within a certain time; providing for applicability of changes made by the act; amending ss. 61.183, 61.20, 61.21, and 61.30, F.S.; conforming provisions to changes made by the act; amending s. 741.30, F.S., relating to domestic violence; authorizing a court to issue an ex parte injunction that provides a temporary parenting plan; providing an effective date.

By the Committee on Health Regulation; and Senators Rich, Lynn, Bennett, Aronberg, Sobel, and Gaetz—

**CS for SB 918**—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 409.810, F.S.; correcting a cross-reference; amending s. 409.811, F.S.; conforming cross-references; amending s. 409.812, F.S.; clarifying the application of the Florida Kidcare program to include all eligible uninsured, low-income children; amending s. 409.813, F.S.; specifying funding sources for health benefits coverage for certain children; specifying program components to be marketed as the Florida Kidcare program; conforming cross-references; amending s. 409.8132, F.S.; revising provisions relating to penalties for nonpayment of premiums and waiting periods for reinstatement of coverage; amending s. 409.8134, F.S.; revising provisions relating to enrollment in the Florida Kidcare program; amending s. 409.814, F.S.; removing a restriction on participation in the Florida Healthy Kids program; authorizing certain enrollees to opt out of the Children's Medical Services network; revising coverage limitations; revising restrictions on enrollment of children whose coverage was voluntarily canceled; providing exceptions; deleting provisions that place a limit on enrollment in Medikids and the Florida Healthy Kids full-pay program; requiring notice to health plans and providers when a child is no longer eligible for certain coverage; requiring electronic verification of applicants' income; providing circumstances under which written documentation is required; revising the timeframe for an enrollee to resolve disputes regarding the withholding of benefits; amending s. 409.815, F.S.; authorizing the Agency for Health Care Administration to increase premium assistance payments for benefits provided through Florida Kidcare Plus instead of the Children's Medical Services; conforming cross-references; amending ss. 409.816 and 409.817, F.S.; conforming cross-references; amending s. 409.8177, F.S.; revising information to be included in the annual program evaluation to the Governor and Legislature; amending s. 409.818, F.S.; clarifying that the Department of Health is the chair of Florida Kidcare coordinating council; conforming cross-references; amending s. 624.91, F.S.; revising the duties of the Florida Healthy Kids Corporation; revising the date in which the corporation must provide a study to the Legislature and the Governor; correcting a cross-reference; expanding the membership of the board of directors of the Florida Healthy Kids Corporation; providing an effective date.

By the Committees on Judiciary; and Military Affairs and Domestic Security; and Senators Fasano, Aronberg, Deutch, and Ring—

**CS for CS for SB 1000**—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing certain counties to levy by ordinance a discretionary sales surtax for emergency fire rescue services and facilities under certain circumstances; requiring a referendum; providing for distribution of surtax proceeds; authorizing an administrative fee; providing for interlocal agreements; providing agreement requirements; requiring a reduction in the budget for ad valorem tax levies and non-ad valorem assessments for emergency fire rescue service by the amount of the estimated surtax; requiring any

surplus surtax revenues to be used to further reduce ad valorem taxes; prohibiting entities not entering into an interlocal agreement from receiving a portion of surtax proceeds; specifying the distribution of surtax revenues and limiting reimbursements among participating jurisdictions under certain circumstances; providing an effective date.

By the Committees on Judiciary; and Environmental Preservation and Conservation; and Senator Constantine—

**CS for CS for SB 1004**—A bill to be entitled An act relating to coral reefs; creating s. 403.9335, F.S.; creating the “Florida Coral Reef Protection Act”; providing definitions; providing legislative intent; requiring responsible parties to notify the Department of Environmental Protection if their vessel runs aground or damages a coral reef; requiring the responsible party to remove the vessel; requiring the responsible party to cooperate with the department to assess the damage and restore the coral reef; authorizing the department to recover damages from the responsible party; authorizing the department to use a certain method to calculate compensation for damage of coral reefs; authorizing the department to assess civil penalties; authorizing the department to enter into delegation agreements; providing that moneys collected from damages and civil penalties for injury to coral reefs be deposited in the Ecosystem Management and Restoration Trust Fund within the Department of Environmental Protection; providing requirements; authorizing the department to adopt rules; amending s. 403.1651, F.S.; authorizing the department to enter into settlement agreements that require responsible parties to pay another government entity or non-profit organization to fund projects consistent with the conservation or protection of coral reefs; repealing s. 253.04(3), F.S., relating to civil penalties for damage to coral reefs; repealing s. 380.0558, F.S., relating to coral reef restoration; providing an effective date.

By the Committees on Higher Education; and Communications, Energy, and Public Utilities; and Senator Gaetz—

**CS for CS for SB 1138**—A bill to be entitled An act relating to self-insurance funds; amending s. 624.4621, F.S.; requiring an application for workers’ compensation coverage issued by a group self-insurance fund to notify applicants that policyholders must make additional contributions to the fund if the fund is unable to pay its obligations; creating s. 624.4626, F.S.; authorizing any two or more electric cooperatives to operate a self-insurance fund for certain purposes; providing for membership in the fund; requiring that the fund fulfill certain criteria; providing for the applicability of certain assessments and certain provisions of state law to such a fund; amending s. 631.904, F.S.; exempting certain self-insurance funds from specified provisions of state law; providing an effective date.

By the Committees on Environmental Preservation and Conservation; and Communications, Energy, and Public Utilities; and Senator King—

**CS for 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.

403.503, F.S.; revising the definition of “electrical power plant”; amending s. 525.09, F.S.; imposing a fee on alternative fuel containing alcohol; 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.

By the Committees on Environmental Preservation and Conservation; and Communications, Energy, and Public Utilities; and Senator King—

**CS for CS for SB 1156**—A bill to be entitled An act relating to trust funds; creating the Florida Renewable Energy Trust Fund within the Florida Energy and Climate Commission; requiring that the commission administer the fund; providing that moneys deposited into the fund be from federal grants for renewable energy, general revenue appropriations, and other sources designated by law; providing a purpose for the fund; requiring that any balance remain in the trust fund at the end of each fiscal year; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committees on Ethics and Elections; and Community Affairs; and Senators Fasano, Gaetz, and Dockery—

**CS for CS for SB 1182**—A bill to be entitled An act relating to the state retirement system; amending s. 121.021, F.S.; defining the term “retiree”; amending s. 121.051, F.S.; conforming a cross-reference; clarifying when a State Community College System Optional Retirement Program participant is considered a retiree; amending s. 121.053, F.S.; revising membership criteria for renewed elected officials; amending s. 121.055, F.S.; revising benefit payment procedures for the Senior Management Service Optional Annuity Program; clarifying when a participant is considered retired; amending s. 121.091, F.S.; revising and clarifying provisions relating to retirement benefits; deleting a restriction on the reemployment of certain personnel by the Florida School for the Deaf and the Blind; extending the period of time that instructional personnel employed by a developmental research school may participate in the Deferred Retirement Option Program (DROP); authorizing developmental research school and charter schools to reemploy certain retirees under specified conditions; providing applicability; clarifying that DROP participation cannot be canceled; clarifying maximum DROP participation; providing for the suspension of DROP benefits to a participant who is reemployed; deleting obsolete provisions; amending s. 121.122, F.S.; revising conditions under which a retiree is entitled to certain additional retirement benefits; amending s. 121.35, F.S.; revising a compulsory membership exception for certain members failing to elect membership in the optional retirement program; amending s. 121.4501, F.S.; defining the term “retiree” for purposes of the State University System Optional Retirement Program; amending s. 121.591, F.S.; conforming provisions; repealing ss. 121.093 and 121.094, F.S., relating to instructional personnel reemployment after retirement from a developmental research school or the Florida School for the Deaf and the Blind, the provisions of which are reenacted in s. 121.091, F.S., and relating to instructional personnel reemployment after retirement from a charter school, the provisions of which are reenacted in s. 121.091, F.S., respectively; providing a declaration of important state interest; requiring the Department of Management Services to request an actuarial study to determine the effect of this act on employer contributions and to notify the Governor and Legislature of the results; providing a contingent effective date.

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

**CS for CS for CS for SB 1276**—A bill to be entitled An act relating to care of children; creating the “Zahid Jones, Jr., Give Grandparents and Other Relatives a Voice Act”; amending s. 39.201, F.S.; providing for the Department of Children and Family Services to analyze certain unaccepted reports to the central abuse hotline; amending s. 39.202, F.S.; expanding access to certain confidential reports of child abuse or neglect to include physicians, psychologists, and mental health professionals; amending s. 39.301, F.S.; requiring information to be provided to a reporter; authorizing the submission of a written report; providing condi-

tions for a relative to be a collateral contact in certain child protective investigations; providing for a relative to request notice of proceedings and hearings relating to protective investigations under certain circumstances; specifying content of the request; providing that the failure to provide notice to a relative does not undo any previous action of the court absent a finding that a change is in the child's best interests; conforming cross-references; amending s. 39.304, F.S.; providing for preservation in department records of certain photographs and X rays and reports on medical examinations and treatments of an abused child; amending s. 39.402, F.S.; requiring notification of certain relatives in an order for placement of a child in shelter care of their right to attend hearings, submit reports to the court, and speak to the court; amending s. 39.502, F.S.; providing for certain relatives to receive notice of dependency hearings under certain circumstances; providing an opportunity for certain relatives to be heard in court; providing an exception; amending s. 39.506, F.S.; providing for certain relatives to receive notice of arraignment hearings under certain circumstances; amending s. 39.5085, F.S.; revising legislative intent with regard to the Relative Caregiver Program; authorizing the department to develop liaison functions for certain relatives; amending s. 39.6011, F.S.; requiring a case plan for a child receiving services from the department to include a protocol for notification of certain relatives of proceedings and hearings; amending s. 39.6013, F.S.; conforming a cross-reference; amending s. 39.701, F.S.; requiring an attorney for the department to provide notice to certain relatives of the child regarding upcoming judicial hearings; conforming cross-references; amending s. 39.823, F.S.; conforming a cross-reference; amending s. 683.10, F.S.; designating the first Sunday after Labor Day as "Grandparents' and Family Caregivers' Day"; authorizing the Governor to issue proclamations commemorating the occasion; providing an effective date.

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By the Committees on Governmental Oversight and Accountability; and Transportation—

**CS for SB 1290**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding personal information contained in motor vehicle records; amending s. 119.0712, F.S.; removing provisions that are duplicative of the federal prohibition on the release and use of personal information contained in state motor vehicle records under the federal Driver's Privacy Protection Act of 1994; referencing federal law as controlling with respect to the confidentiality and release of such records; reorganizing provisions and making editorial and conforming changes; saving the exemption from repeal under the Open Government Sunset Review Act; repealing s. 2, ch. 2004-62, Laws of Florida, which provides for repeal of the exemption; providing an effective date.

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By the Committee on Judiciary; and Senator Peaden—

**CS for SB 1318**—A bill to be entitled An act relating to the jurisdiction of the circuit court; creating s. 86.112, F.S.; providing that the circuit court has jurisdiction to entertain an action for declaratory judgment to provide relief when the State Constitution is found unconstitutional under the United States Constitution; providing venue and party requirements; providing for the circuit court to issue an order directing the Secretary of State to remove unconstitutional provisions from the State Constitution; providing for the circuit court to order the removal of certain constitutional provisions if there is a showing that voters were confused at the adoption of the constitutional provision; authorizing the circuit court to declare certain provisions of the State Constitution redundant and to direct the Secretary of State to remove the redundant provisions; authorizing the circuit court to order the removal of provisions from the State Constitution previously deemed unconstitutional; providing for appellate review; providing an effective date.

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

**CS for SB 1462**—A bill to be entitled An act relating to recycling; amending ss. 403.7032 and 14.2015, F.S.; directing the Department of Environmental Protection and the Office of Tourism, Trade, and Economic Development to create the Recycling Business Assistance Center; providing requirements; authorizing the Office of Tourism, Trade, and Economic Development to consult with Enterprise Florida, Inc., and

other state agency personnel; amending s. 403.707, F.S.; providing for inspections of waste-to-energy facilities by the Department of Environmental Protection; repealing s. 288.1185, F.S., relating to the Recycling Markets Advisory Committee; providing an effective date.

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

**CS for SB 1614**—A bill to be entitled An act relating to state funding for medical student education; creating s. 1011.905, F.S.; providing legislative intent; requiring the Board of Governors of the State University System, in consultation with the Office of Program Policy Analysis and Government Accountability and representatives from Doctor of Medicine degree programs, to develop a funding methodology for Doctor of Medicine degree programs at state universities; requiring the funding methodology to provide a consistent base level of state support on a per-student basis; providing duties of the Board of Governors in developing the funding methodology; requiring a report; requiring use of the funding methodology in the development of legislative budget requests; providing an effective date.

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

**CS for CS for SB 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.; delaying the expiration of provisions 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 pre-kindergarten 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. 1013.62, F.S.; revising the criteria for determining a charter school's eligibility for capital outlay funding; 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 Policy and Steering Committee on Ways and Means; the Committee on Higher Education Appropriations; and Senator Lynn—

**CS for 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 appropriated 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 a student or courses from which a student has withdrawn after the end of the drop and add period; providing exceptions; prohibiting the use of funds for any scholarship within the program for courses dropped after the end of the drop and add period; providing an exception for verifiable illness or other emergency, unless the institution has a refund policy; requiring a written appeal for such exception; providing requirements for such appeal; requiring that the Department of Education notify eligible recipients of such policies; requiring that each institution notify award recipients of such policies during the registration process; amending s. 1009.532, F.S.; revising the requirements for student eligibility to renew a scholarship under the Florida Bright Futures Scholarship Program; providing that a student loses his or her eligibility for renewal of the scholarship for 1 academic year if such student fails to earn the minimum number of hours required to renew; providing eligibility criteria for such student to restore the award; requiring that the department notify eligible recipients of such policies; requiring that each institution notify award recipients of such policies during the registration process; 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 re-

quired 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 postsecondary 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; 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 effective dates.

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By the Policy and Steering Committee on Ways and Means; the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

**CS for 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.

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By the Policy and Steering Committee on Ways and Means; the Committee on Transportation and Economic Development Appropriations; and Senator Fasano—

**CS for 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.; increasing the title fee for a motor vehicle for hire; 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; amending

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; conforming 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 Driver 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 commercial license fees; amending s. 322.2715, F.S.; requiring that an installer of an 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 s. 322.29, F.S.; conforming provisions to changes made by the act; prohibiting certain private entities from providing supervision services of certain offenders; amending s. 322.293, F.S., relating to the DUI Programs Coordination Trust Fund; conforming provisions to changes made by the act; providing effective dates.

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By the Policy and Steering Committee on Ways and Means; the Committee on Transportation and Economic Development Appropriations; and Senator Fasano—

**CS for 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 Governmental Oversight and Accountability; the Policy and Steering Committee on Ways and Means; and Senator Alexander—

**CS for CS for SB 1796**—A bill to be entitled An act relating to governmental financial information; amending s. 11.40, F.S.; directing the Legislative Auditing Committee to provide oversight and management of a state website providing information on governmental appropriations and expenditures; creating s. 215.985, F.S.; providing a short title; providing definitions; requiring the Executive Office of the Governor to es-

tablish a website providing information relating to each appropriation in the General Appropriations Act; requiring the committee to propose providing additional state information and a format for collecting and displaying information from other governmental entities on the website; requiring the committee to develop a schedule by a certain date for adding other information to the website and submitting it to the Legislative Budget Commission for approval; requiring all branches of state government to establish allotments in the Florida Accounting Information Resource Subsystem for planned expenditures; requiring the committee to coordinate with the Financial Management Information Board in developing certain website information; requiring governmental entities to provide information as necessary; excepting certain small municipalities and special districts from the requirements of the act; requiring the state budget office to ensure that all data added to the website remains accessible to the public for a certain time; requiring an annual report to the Governor and Legislature on progress toward establishing the website; providing an effective date.

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

**CS for SB 1798**—A bill to be entitled An act relating to state employees; providing for the resolution of economic collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing an effective date.

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

**CS for SB 1800**—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; providing the state's monthly contribution to an employee's health savings account for the 2009-2010 fiscal year; deleting a provision that requires that health savings accounts be administered in accordance with the federal requirements and limitations of the Medicare Prescription Drug, Improvement, and Modernization Act; providing an effective date.

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

**CS for SB 1802**—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2009, and July 1, 2010; providing a declaration of important state interest; providing an effective date.

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

**CS for SB 1804**—A bill to be entitled An act relating to state-owned real property; amending s. 253.034, F.S.; requiring the state to offer to lease state-owned buildings or lands to state agencies and universities before being offered for sale or lease to others; amending s. 255.249, F.S.; requiring the Department of Management Services to adopt rules relating to leases of privately owned buildings; requiring that the department determine if certain leases are in the best interests of the state; amending s. 255.25, F.S.; requiring that an agency seeking to lease a privately owned building or land receive a determination from the Department of Management Services that the lease serves the best interests of the state; amending s. 627.351, F.S.; subjecting Citizens Property Insurance Corporation to ch. 255, F.S., relating to public property and publicly owned buildings; requiring the Department of Management Services to create and maintain a database of state-owned property; providing requirements for the database; requiring a report to the Governor and Legislature; requiring the Department of Management Services to begin the process to dispose of certain buildings; providing an effective date.

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

**CS for SB 1806**—A bill to be entitled An act relating to the service charge on income of trust funds; amending s. 215.20, F.S.; increasing the

service charge on income of a revenue nature deposited into certain trust funds; applying the increased service charge to service charges deposited into the General Revenue Fund on or after a certain date; deleting provisions providing a reduced service charge on the income of certain trust funds; amending s. 527.23, F.S.; increasing surcharge on income of a trust fund for income relating to marketing orders; amending s. 570.20, F.S.; increasing the service charge on income to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services; amending s. 601.15, F.S.; increasing the service charge on income to the Florida Citrus Advertising Trust Fund; providing an effective date.

By the Policy and Steering Committee on Ways and Means; the Committee on Finance and Tax; and Senators Deutch and Rich—

**CS for CS for SB 1840**—A bill to be entitled An act relating to protecting Florida's health through a surcharge on tobacco products; providing a short title; amending s. 210.01, F.S.; redefining the terms "unstamped package," "unstamped cigarettes," and "stamp"; conforming provisions to changes made by the act; creating s. 210.011, F.S.; levying a surcharge on cigarettes equivalent to \$1 per standard pack; establishing surcharge amounts for cigarettes of a nonstandard sizes and in varying quantities; providing legislative intent that the surcharge be uniform throughout the state; providing for the surcharge to be administered in the same manner as the cigarette tax imposed under s. 210.02, F.S.; requiring that revenue from the surcharge to be deposited into the Health Care Trust Fund within the Agency for Health Care Administration; amending s. 210.04, F.S., to conform; amending s. 210.18, F.S.; providing enhanced penalties for the sale or possession of any quantity of counterfeit cigarettes; creating a reward program for information concerning violations under part I of ch. 210, F.S.; amending s. 210.25, F.S.; clarifying provisions with respect to definitions; creating s. 210.211, F.S.; providing definitions; levying a surcharge on tobacco products other than cigarettes; providing for the surcharge to be administered in the same manner as the tax imposed under part II of ch. 210, F.S.; requiring that revenue from the surcharge be deposited into the Health Care Trust Fund within the Agency for Health Care Administration; providing that the surcharge on cigarettes and other tobacco products applies to existing inventory on the effective date of the act; requiring each manufacturer, distributor, wholesaler, and vendor to take an inventory of the cigarettes and other tobacco products in its possession on the effective date of the act; requiring that the amount of such inventory be certified to the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation by a specified date; providing that the surcharge may be paid in four equal installments; providing for penalties and interest for delinquent payments; amending s. 210.05, F.S.; conforming provisions to changes made by the act; creating s. 210.1801, F.S.; providing for the administration of Indian-stamped cigarettes and other tobacco products; providing that agents of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation or wholesale dealers may sell stamped but untaxed cigarettes and tobacco products to the Seminole Indian Tribe of Florida and the Miccosukee Tribe of Florida Indians for retail sale to tribal members; prohibiting an agent or wholesale dealer from collecting from the purchaser certain taxes or surcharges imposed by law; requiring that cigarette and other tobacco product stamps identify the tribe, or member thereof, to which the cigarettes are sold; providing for criminal penalties; providing for a fine; requiring the division to conduct a public-awareness campaign relating to the criminal possession of Indian cigarettes or Indian tobacco products by nontribal members; providing for the content of the notice required by law; requiring law enforcement agencies to report the seizure of Indian cigarettes or Indian tobacco products by nontribal members; providing for an exemption applicable to signatories of an approved compact that provides for revenue sharing between the tribe and the state; providing for an appropriation; providing an effective date.

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

**CS for CS for SB 1888**—A bill to be entitled An act relating to temporary and concurrent custody of a child; revising ch. 751, F.S., relating to petitions and court orders awarding the temporary custody of a child to an extended family member, to also provide for concurrent custody with the parents of the child; amending ss. 751.01 and 751.02, F.S.; conforming provisions to changes made by the act; amending s. 751.011, F.S.; revising definitions; defining the term "concurrent cus-

tody"; amending s. 751.03, F.S.; revising the petition for concurrent custody to require additional information; amending s. 751.05, F.S.; providing that if a parent objects to a petition for concurrent custody, the court may not grant the petition and must give the petitioner the option of converting the petition to one for temporary custody; providing for dismissal of the petition; providing that an order granting concurrent custody does not affect the ability of the parents to obtain the physical custody of the child at any time; providing for the court to terminate an order for concurrent custody if a parent withdraws his or her consent to the order; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Higher Education—

**CS for SB 1902**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1004.4472, F.S., relating to an exemption from the public-records law provided for records held by the Florida Institute for Human and Machine Cognition, Inc., or its subsidiary, and an exemption from the public-meetings law provided for portions of meetings of the institute or its subsidiary at which confidential information is presented or discussed; saving the exemptions from repeal under the Open Government Sunset Review Act; deleting provisions that provide for repeal of the exemptions; providing an effective date.

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

**CS for SB 1950**—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; revising the dates of an insurer's contract year for purposes of calculating the insurer's retention; requiring the State Board of Administration to offer an additional amount of reimbursement coverage to certain insurers that purchased coverage during a certain calendar year; requiring an insurer that purchases certain coverage to retain an amount equal to a percentage of the insurer's surplus on a certain date; providing that an insurer's retention will apply along with a mandatory coverage after an optional coverage is exhausted; revising an expiration date on the requirement for the State Board of Administration to offer certain optional coverage to insurers; revising the dates on which the State Board of Administration is required to publish a statement of the estimated borrowing capacity of the Hurricane Catastrophe Fund; authorizing the State Board of Administration to reimburse insurers based on a formula related to the claims-paying capacity of the Hurricane Catastrophe Fund; requiring the formula to determine an actuarially indicated premium to include specified cash build-up factors; authorizing insurers to purchase temporary increased coverage limit for certain future hurricane seasons; providing that a cash build-up factor does not apply to temporary increased coverage limit premiums; providing dates on which the claims-paying capacity of the fund will increase; deleting authority for the State Board of Administration to increase the claims-paying capacity of the Hurricane Catastrophe Fund; amending s. 627.062, F.S.; revising the date by which certain filings for a rate increase must be made by a file and use filing; exempting certain rate filings from determination by the Office of Insurance Regulation that the rate in the rate filing is excessive or unfairly discriminatory; amending s. 627.0621, F.S.; deleting a limitation on the application of the attorney-client privilege and work product doctrine in challenges to actions by the Office of Insurance Regulation relating to rate filings; amending s. 627.0629, F.S.; authorizing an insurer to include in its rates the actual cost of certain reinsurance; amending s. 627.351, F.S.; deleting a provision requiring a seller of certain residential property to disclose the structure's windstorm mitigation rating to the prospective purchaser of the property; providing for members of the board of governors of Citizens Property Insurance Corporation to serve staggered terms; requiring Citizen's Property Insurance Corporation to implement rate increases until the implementation of actuarially sound rates; requiring the corporation to transfer a portion of the funds received from the rate increase into the General Revenue Fund; revising the dates after which the State Board of Administration is required to reduce the boundaries of high-risk areas eligible for wind-only coverages under certain circumstances; amending s. 627.3512, F.S.; authorizing insurers to recoup assessments within a certain period; requiring insurers to file a final accounting report with the Office of Insurance Regulation which documents the assessment recouped; requiring the officer of the insurer who signs the report to acknowledge certain statements; prohibiting insurers that do not file the report from in-

cluding the uncollected assessment amount in any subsequent rate filing; amending s. 627.712, F.S.; revising the properties for which an insurer must make policies available which exclude windstorm coverage; amending s. 631.57, F.S.; deleting provisions requiring certain insurers to submit certain information; amending s. 631.64, F.S.; authorizing insurers to recoup certain assessments; requiring the recoupment to begin within a certain period; limiting the recoupment factor; authorizing insurers to carry forward certain assessments that have not been recouped; requiring insurers to file a final accounting report with the Office of Insurance Regulation which documents the assessment recouped; requiring the officer of the insurer who signs the report to acknowledge certain statements; providing that all excess recoupment be sent to the Florida Insurance Guaranty Association; requiring that the insurer document the accounting of the over-recoupment in the final accounting report; authorizing the commission to adopt rules; amending s. 631.65, F.S.; providing that an insurance agent is not prohibited from explaining the existence or function of the insurance guaranty association; providing for the appropriation of certain transferred funds to the Insurance Regulatory Trust Fund for purposes of the My Safe Florida Home Program; providing an effective date.

By the Committees on Finance and Tax; and Higher Education; and Senator Constantine—

**CS for CS for SB 1996**—A bill to be entitled An act relating to state universities; amending s. 1001.74, F.S.; redefining the term “continuing contract” relating to construction costs to increase certain cost thresholds; amending s. 1009.24, F.S.; authorizing university boards of trustees to establish a renewable energy fee under certain circumstances; providing that the fee not exceed a certain amount; limiting the use of such fee; establishing a renewable energy fee committee; providing for membership; providing terms; providing for a referendum on continuing or dissolving the fee; authorizing the university to reestablish the fee; amending ss. 1009.01 and 1009.98, F.S.; conforming cross-references; amending s. 1013.64, F.S.; increasing the threshold amount used to replace minor facility projects; amending s. 1013.78, F.S.; conforming provisions to changes made by the act; amending s. 1013.79, F.S.; revising provisions relating to the University Facility Enhancement Challenge Grant Program; authorizing a university to expend funds from private sources to develop a prospectus for a facility or site preparation or initial planning and construction; providing an effective date.

By the Committee on Commerce; and Senator Constantine—

**CS for SB 2000**—A bill to be entitled An act relating to motor vehicle lien enforcement; amending s. 30.231, F.S.; authorizing sheriffs expediting execution of a writ of replevin to recover certain additional expenses; amending s. 30.30, F.S.; requiring sheriffs to expedite certain writs of replevin within a specified amount of time; amending s. 78.065, F.S.; requiring courts to advance certain matters related to writs of replevin on the calendar and provide a ruling within a specified amount of time; amending s. 78.068, F.S.; requiring courts to advance certain matters related to prejudgment writs of replevin on the calendar and provide a ruling within a specified amount of time; amending s. 319.24, F.S.; extending the time certain motor vehicle lienholders have to deliver a certificate of title indicating a lien satisfaction or notify the person satisfying the lien that the title is not available; amending s. 320.02, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to withhold registration, renewal of registration, or replacement registration of specified motor vehicles; requiring the department to implement a system to notify motor vehicle floor-plan financiers when a motor vehicle is sold by a licensed dealer; providing system requirements; providing fees for users of the system and providing for disposition of the fees; amending s. 322.34, F.S.; creating certain rights for lienholders; deleting a return receipt mailing requirement; amending s. 559.903, F.S.; defining the terms “lienholder” and “owner” for purposes of the “Florida Motor Vehicle Repair Act”; amending s. 559.917, F.S.; providing for a motor vehicle owner or lienholder to obtain the release of a motor vehicle from a motor vehicle repair shop; amending s. 713.585, F.S.; modifying procedures for enforcing liens for labor or services by sale of a motor vehicle; amending s. 713.78, F.S.; clarifying provisions; deleting a return receipt mailing requirement; creating certain rights for lienholders; deleting a provision that allows a complaint to be filed in the county where the owner resides; creating a cause of action to determine

the rights of the parties after a vehicle or vessel has been sold; providing for attorney’s fees and costs; providing a right of inspection to lienholders; amending s. 818.01, F.S.; providing penalties for the encumbrance, removal, destruction, or concealment of certain personal property; providing responsibilities of the department relating to the issuance of a license plate, revalidation sticker, or replacement license plate; requiring the department to create a notice to surrender form; providing procedures for the dispute of a notice to surrender; authorizing certain secured parties to move in a court of competent jurisdiction that the party be allowed to retain possession of collateral as security for a debt; providing an effective date.

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

**CS for SB 2036**—A bill to be entitled An act relating to residential property insurance; amending s. 627.062, F.S.; authorizing certain insurers to use a rate in excess of the otherwise applicable filed rate; prohibiting the consideration of certain policies when making a specified calculation; preserving the authority of the Office of Insurance Regulation to disapprove rates as inadequate or disapprove a rate filing for using an unlawful rating factor; authorizing the office to direct an insurer to make a specified type of rate filing under certain circumstances; creating s. 627.7031, F.S.; authorizing an insurer to offer or renew policies at rates established in accordance with specified provisions of state law if certain conditions are met; requiring that certain policies contain a specified notice; providing for applicability; providing an effective date.

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

**CS for SB 2078**—A bill to be entitled An act relating to the My Safe Florida Home Program; amending s. 215.5586, F.S.; revising legislative intent; revising criteria for hurricane mitigation inspections; revising criteria for eligibility for a mitigation grant; expanding the list of improvements for which grants may be used; correcting a reference to the Florida Division of Emergency Management; deleting provisions relating to no-interest loans; requiring that contracts valued at or greater than a specified amount be subject to review and approval of the Legislative Budget Commission; requiring the Department of Financial Services to implement a condominium mitigation loan program for certain purposes; specifying program requirements; specifying an administration requirement for the program; requiring the department to adopt rules; amending s. 627.711, F.S.; revising eligible entities authorized to certify uniform mitigation inspection forms; authorizing insurers to contract with inspection firms to review certain verification forms and reinspect properties for certain purposes; providing for such contracts to be at the insurer’s expense; providing a criminal penalty for knowingly submitting a false or fraudulent mitigation form with the intent to receive an undeserved discount; providing an effective date.

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

**CS for SB 2092**—A bill to be entitled An act relating to broadband Internet service; providing legislative findings and intent; authorizing the Department of Management Services to engage in certain activities related to assessing the need for broadband Internet service in the state, planning for such service, and encouraging the statewide deployment of such service; authorizing the department to apply for and accept certain funds; authorizing the department to enter into contracts; authorizing the department to establish committees or workgroups; authorizing the department to adopt rules; providing an effective date.

By the Committee on Higher Education; and Senator Oelrich—

**CS for SB 2096**—A bill to be entitled An act relating to nonpublic postsecondary educational institutions; amending s. 1005.32, F.S.; revising the criteria for licensure by means of accreditation for an independent postsecondary educational institution; requiring that, in order to maintain its license, an institution file a report with the Commission for Independent Education which includes the results of a site visit performed by an accrediting agency; requiring that each institution request such site visits; authorizing the commission to request a site visit performed by an accrediting agency; providing an effective date.

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

**CS for CS for SB 2108**—A bill to be entitled An act relating to the clerks of court; amending s. 25.381, F.S.; requiring the Supreme Court and Attorney General to jointly enter into a contract with a vendor to publish copies of Florida cases; amending s. 28.241, F.S.; redirecting a portion of certain civil filing fees to the Clerks of the Court Trust Fund within the Justice Administrative Commission; eliminating a requirement that a portion of such fees be deposited into the Department of Financial Services' Administrative Trust Fund; amending s. 28.246, F.S.; requiring the clerk to refer certain unpaid accounts to a private attorney or a collection agent; amending s. 28.35, F.S.; providing for the Florida Clerks of Court Operations Corporation to be administratively housed within the Justice Administrative Commission; requiring the Chief Justice of the Supreme Court to designate a member of the corporation's executive council to represent the state courts system; deleting provisions exempting the corporation from ch. 287, F.S., relating to procurement, and from ch. 120, F.S., relating to administrative procedures; revising the duties of the corporation; requiring that the Florida Clerks of Court Operations Corporation develop measures and standards for reviewing the performance of clerks of court and notify the Legislature and the Supreme Court of any clerk not meeting the standards; conforming cross-references; deleting provisions relating to the certification of the amount of the proposed budget for each clerk; providing for the clerks of court to be funded pursuant to state appropriations rather than from filing fees, service charges, court costs, and fines; providing for the Florida Clerks of Court Operations Corporation to be funded pursuant to the General Appropriations Act rather than a contract with the Chief Financial Officer; revising requirements for the audits of clerks of court; amending s. 28.36, F.S.; providing a procedure for the clerks of court to prepare budget requests for submission to the Florida Clerks of Court Operations Corporation, with a copy to the Supreme Court; providing requirements for the budget requests; requiring the corporation to determine whether projected court-related revenues are less than the proposed budget for a clerk; requiring that a clerk increase fees and service charges to resolve a deficit; requiring the corporation to compare a clerk's expenditures and costs with the clerk's peer group and for the clerk to submit documentation justifying higher expenditures; requiring that the corporation and the Chief Financial Officer review the clerks' budget requests and make recommendations to the Legislature; authorizing the Chief Financial Officer to conduct, and the Chief Justice of the Supreme Court to request, an audit of the corporation or a clerk of court; providing for the Legislature to make appropriations for the budgets of the clerks; requiring that the corporation release appropriations each quarter; deleting provisions authorizing the Legislative Budget Commission to approve budgets; amending s. 28.37, F.S.; clarifying the requirement for all court-related fines, fees, service charges, and costs to be deposited into the Clerks of the Court Trust Fund; deleting obsolete provisions relating to the funding of the clerks of court; requiring that a specified percentage of all court-related fines collected by the clerk be deposited into the clerk's Public Records Modernization Trust Fund and used exclusively for additional court-related operational needs and programs; amending s. 34.041, F.S., relating to filing fees; conforming provisions to changes made by the act; amending s. 43.16, F.S., relating to the duties of the Justice Administrative Commission; conforming provisions to the transfer of the Florida Clerks of Court Operations Corporation to the commission; amending s. 43.27, F.S.; requiring that the clerk of court obtain the consent of the chief judge of the circuit concerning the clerk's office hours; amending s. 142.01, F.S.; requiring the deposit of revenues received in the fine and forfeiture funds of the clerks of court into the Clerks of the Court Trust Fund within the Justice Administrative Commission; amending s. 216.011, F.S.; redefining the term "state agency" for purposes of the fiscal affairs of the state to include the Florida Clerks of Court Operations Corporation; requiring that the clerks of court submit financial data to the Executive Office of the Governor; transferring the Clerks of the Court Trust Fund from the Department of Revenue to the Justice Administrative Commission; providing a finding that the act fulfills an important state interest; providing an effective date.

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

**CS for SB 2126**—A bill to be entitled An act relating to public records; providing an exemption from public-records requirements for specified

proprietary business information obtained from a communications company or broadband company by the Department of Management Services; providing for future review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

**CS for SB 2158**—A bill to be entitled An act relating to public records; creating s. 631.582, F.S.; providing an exemption from public-records requirements for specified claims files, medical records that are part of a claims file, information relating to the medical condition or medical status of a claimant, and records pertaining to matters reasonably encompassed in privileged attorney-client communications of the Florida Insurance Guaranty Association; providing for limited duration of the exemption for claims files; providing for release of records under specified conditions; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

**CS for SB 2166**—A bill to be entitled An act relating to spousal and child support; amending s. 61.075, F.S.; requiring specified findings if a deferred payment is ordered in an equitable distribution; providing for application of specified provisions; amending s. 61.14, F.S.; specifying how payments on alimony or spousal support judgments shall be applied; providing for enforcement of interest payments on child support and alimony or spousal support judgments; providing that interest not accrue on postjudgment interest; amending s. 61.30, F.S.; specifying a definition relating to payment of child support varying from the guideline amount whenever any of the children are required by court order to spend a substantial amount of time with either parent; prohibiting use of certain factors in imputing income beyond minimum wage unless a court makes specified findings; revising provisions relating to income tax calculations used in determining net income; eliminating a reduction in the child care cost added to the basic support obligation; providing for determination of the total minimum child support need; providing for payment of a parent's share of the minimum total child support need; deleting provisions relating to adjustment of a minimum child support award relating to the Internal Revenue Service dependency exemption; providing for adjustment of a party's minimum child support award when application of the child support guidelines leaves the party with a net income lower than the federal poverty guidelines; revising the percentage of overnight time-sharing that is considered significant for certain purposes; allowing a court to order a party to execute a waiver of the Internal Revenue Service dependency exemption for a child for good cause shown; amending s. 409.2563, F.S.; revising provisions relating to a presumption of minimum wage earning capacity for purposes of administrative support orders; amending s. 742.08, F.S.; providing for enforcement of interest payments on support judgments; providing that interest shall not accrue on postjudgment interest; providing an effective date.

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

**CS for SB 2276**—A bill to be entitled An act relating to a DNA database; providing a short title; amending s. 943.325, F.S.; providing legislative intent; providing definitions; providing a phase-in schedule whereby persons arrested for specified felony offenses will be required to provide DNA samples to the Department of Law Enforcement; requiring reports; providing for a statewide automated personal identification system capable of classifying, matching, and storing analyses of DNA and other data; providing for access; specifying duties of the department; providing that the database may contain DNA for certain types of samples; specifying offenders from whom DNA is to be collected; authorizing the use of reasonable force to collect samples; providing an exemption from liability for use of such force; providing for collection of samples from specified offenders from out of state; requiring the department to provide sample containers; providing requirements for information to be submitted with each sample; providing for court orders for samples; authorizing prosecutors to seek court orders in certain circumstances; requiring that a convicted person pay the actual costs of

collecting the approved DNA samples unless declared indigent; providing that certain failures to strictly comply with statute or protocol are not grounds for challenging the validity of the collection or the use of a DNA sample in court, and evidence based upon or derived from the collected DNA sample may not be excluded by a court; providing that the detention, arrest, or conviction of a person based upon a database match or database information may not be invalidated if it is later determined that the sample was obtained or placed in the database by mistake; providing for retention of samples; providing for analysis of samples; requiring that DNA analysis and the comparison of analytic results be released only to criminal justice agencies; continuing a public-records exemption for such information; prohibiting the willful refusal to provide a DNA sample; providing penalties; prohibiting specified offenses relating to disclosing DNA records, using records without authorization, or tampering with DNA samples or analysis results; providing penalties; providing circumstances that require removal of the DNA analysis and DNA sample from the statewide DNA database of a person whose DNA analysis and sample was included in the database as a result of a conviction for a qualifying offense; providing circumstances that require removal of the DNA analysis and DNA sample from the statewide DNA database of a person whose DNA analysis and sample was included in the database as a result of an arrest; authorizing the Department of Law Enforcement to adopt rules related to the implementation of the removal of DNA analyses and samples from the statewide DNA database; amending ss. 760.40 and 948.014, F.S.; conforming provisions to changes made by the act; providing an effective date.

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By the Committee on Commerce; and Senator Altman—

**CS for SB 2376**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; providing a short title; amending s. 212.05, F.S.; imposing a maximum tax limitation on sales of aircraft and boats in this state; providing an effective date.

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

**CS for CS for SB 2404**—A bill to be entitled An act relating to adult protective services; amending s. 415.101, F.S.; revising terminology; amending s. 415.102, F.S.; defining the term “activities of daily living” and revising the term “vulnerable adult”; conforming a cross-reference; amending s. 415.103, F.S.; requiring the central abuse hotline to immediately transfer certain calls relating to vulnerable adults to the appropriate local law enforcement agency; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file a petition to determine incapacity; prohibiting the department from acting as guardian or providing legal counsel to the guardian; amending s. 322.142, F.S.; providing a cross-reference to authorize the release of certain records for purposes of protective investigations; amending ss. 943.0585 and 943.059, F.S.; conforming cross-references; providing an effective date.

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By the Committees on Children, Families, and Elder Affairs; and Health Regulation; and Senator Storms—

**CS for CS for SB 2422**—A bill to be entitled An act relating to Medicaid; amending s. 409.91195, F.S.; revising the membership of the Medicaid Pharmaceutical and Therapeutics Committee within the Agency for Health Care Administration to include a member who is enrolled in the Medicaid program; amending s. 409.912, F.S.; requiring that funds repaid to the agency 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; amending s. 409.9122, F.S.; revising the criteria for good-cause disenrollment in a managed care plan or Medipass; providing an effective date.

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By the Committees on Finance and Tax; and Judiciary; and Senators Lawson and Gelber—

**CS for CS for SB 2430 and SB 1960**—A bill to be entitled An act relating to the discretionary surtax on documents; amending s. 3, ch. 83-

220, Laws of Florida, as amended; extending a future repeal date of provisions authorizing counties to levy a discretionary surtax on documents; amending s. 125.0167, F.S.; limiting the percentage of surtax revenues that may be used for administrative costs; specifying a minimum amount of surtax revenues to be used for housing for certain low-income and moderate-income families; requiring an affirmative vote of a local government governing body to rehabilitate certain government-owned housing; authorizing certain counties to create by ordinance a housing choice assistance voucher program for the purpose of down payment assistance; providing definitions; providing eligibility requirements for such vouchers; authorizing purchasing employers to file for allocations for such vouchers; limiting allocations; requiring distribution of allocations to employees in the form of such vouchers; prohibiting use of allocations for such vouchers if not awarded within a certain period after certain documentary stamps taxes are collected; requiring the Office of Program Policy Analysis and Government Accountability to conduct a continuing review of the discretionary surtax program operated by counties; requiring reports to the Legislature; providing legislative intent to reverse a judicial opinion relating to the application of the excise tax on documents to certain transactions involving legal entities; amending s. 201.02, F.S.; providing that the excise tax on documents applies to transfers involving the exchange of real property for shares of stock or as a capital contribution; imposing the tax on deeds, instruments, and other writings on the consideration for a transfer of real property pursuant to a short sale; providing that the consideration subject to the tax does not include unpaid indebtedness that is forgiven by a mortgagee; defining the term “short sale”; directing the Department of Revenue to readopt rules relating to the application of the excise tax on documents to transfers of real property involving a legal entity; providing intent that the statutory changes relating to the application of the excise tax on documents for transfers involving legal entities are to be clarifying and remedial in nature; authorizing the Department of Revenue to adopt emergency rules relating to short sales; amending s. 201.031, F.S.; expanding requirements for counties levying the discretionary surtax to include housing plan, affordable housing element, and annual reporting requirements; amending s. 719.105, F.S.; conforming a cross-reference; providing for application of specified provisions of the act; providing effective dates.

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

**CS for SB 2458**—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 39.202, F.S.; providing for access to records by certain education employees or agents in cases of child abuse or neglect; amending ss. 120.81, 1002.36, 1003.62, and 1003.621, F.S., to conform to provisions in the act; amending s. 1004.04, F.S.; requiring the Department of Education to report to the State Board of Education on the effectiveness of graduates of state-approved teacher preparation programs; amending s. 1012.21, F.S.; conforming provisions; requiring the department to notify the Legislature relating to school district compliance with compensation and salary schedule requirements; requiring the department to report to the State Board of Education on educational insufficiency and dismissal and termination related thereto; requiring rulemaking to define educational insufficiency; amending s. 1012.22, F.S.; deleting certain provisions relating to district school board adoption of salary schedules and the basis for an employee’s compensation; requiring each district school board to report to the department on its adopted differentiated pay policy; requiring rulemaking relating to school district implementation of compensation and salary schedule requirements; amending s. 1012.2315, F.S.; revising department reporting requirements relating to the assignment of classroom teachers; amending s. 1012.28, F.S.; conforming provisions; creating s. 1012.335, F.S., relating to contracts with classroom teachers hired on or after July 1, 2009; providing intent, findings, and definitions; providing conditions for receipt of probationary, annual, and professional performance contracts; providing a penalty for violation of a contract; providing criteria and procedures for suspension or dismissal of classroom teachers on contract; providing procedures for hearings to contest charges; requiring rules to define just cause; amending s. 1012.34, F.S.; revising provisions to require a school district personnel appraisal system; specifying criteria and procedures for the appraisal process; requiring approval of appraisal instruments; requiring appraisals twice a year for first-year teachers; requiring evaluation of the appraisal system; conforming provisions; amending s. 1012.52, F.S.; requiring the State Board of Education to adopt by rule the Florida Educator Accomplished

Practices; requiring periodic review and revision of the practices; amending s. 1012.56, F.S.; correcting cross-references; authorizing Voluntary Prekindergarten Education Program providers to meet certain requirements relating to educator certification; providing additional means of demonstrating mastery of professional preparation and education competence; authorizing State Board of Education rules for acceptance of certain teaching experience and course credits; providing for retroactive application; amending s. 1012.795, F.S.; conforming provisions; amending s. 1012.98, F.S.; authorizing certain organizations, including organizations of Voluntary Prekindergarten Education Program providers, to develop a professional development system and a program for demonstration of education competence; amending s. 1012.986, F.S.; specifying criteria for leadership standards under the William Cecil Golden Professional Development Program for School Leaders; authorizing the program to be offered through state-approved leadership programs; repealing s. 1012.33(3)(g), F.S., relating to acceptance of certain teaching service for purposes of pay for instructional staff, supervisors, and school principals; providing an effective date.

By the Committees on Judiciary; and Environmental Preservation and Conservation; and Senator Constantine—

**CS for CS for SB 2536**—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 206.606, F.S.; requiring the Fish and Wildlife Conservation Commission rather than the Department of Revenue to distribute a specified sum from the Invasive Plant Control Trust Fund to eradicate melaleuca; amending s. 253.002, F.S.; setting forth duties of the commission as they relate to state lands; amending s. 253.04, F.S.; providing for preservation of sea grasses; providing penalties; amending s. 319.32, F.S.; increasing the certificate of title fee for certain vehicles; amending s. 320.08056, F.S.; increasing the annual use fee for certain specialty license plates; amending s. 327.02, F.S.; amending the definition of the term “live-aboard vessel”; amending s. 327.35, F.S.; revising penalties for boating under the influence of alcohol; revising the blood-alcohol level or breath-alcohol level at which certain penalties apply; amending s. 327.36, F.S.; revising a prohibition against accepting a plea to a lesser included offense from a person who is charged with certain offenses involving the operation of a vessel; revising the blood-alcohol level or breath-alcohol level at which the prohibition applies; amending s. 327.395, F.S.; revising certain age limitations on the operation of a vessel powered by a 10-horsepower motor or greater; amending s. 327.40, F.S.; revising provisions for placement of navigation, safety, and informational markers of waterways; providing for uniform waterway markers; removing an exemption from permit requirements for certain markers placed by county, municipal, or other government entities; amending s. 327.41, F.S., relating to placement of markers by a county or municipality; revising terminology; providing for a county or municipality that has adopted a boating-restricted area by ordinance under specified provisions to apply for permission to place regulatory markers; amending s. 327.42, F.S.; revising provisions prohibiting mooring to or damaging markers or buoys; amending s. 327.46, F.S.; revising provisions for establishment by the Fish and Wildlife Conservation Commission of boating-restricted areas; providing for counties and municipalities to establish boating-restricted areas with approval of the commission; directing the commission to adopt rules for the approval; revising a prohibition against operating a vessel in a prohibited manner in a boating-restricted area; amending s. 327.60, F.S.; revising provisions limiting regulation by a county or municipality of the operation, equipment, and other matters relating to vessels operated upon the waters of this state; prohibiting certain county or municipality ordinances or regulations; creating s. 327.66, F.S.; prohibiting possessing or operating a vessel equipped with certain fuel containers or related equipment; prohibiting transporting fuel in a vessel except in compliance with certain federal regulations; providing penalties; declaring fuel transported in violation of such prohibitions to be a public nuisance and directing the enforcing agency to abate the nuisance; providing for disposal of the containers and fuel; declaring conveyances, vessels, vehicles, and equipment used in such violation to be contraband; providing for seizure of the contraband; defining the term “conviction” for specified purposes; providing for costs to remove fuel, containers, vessels, and equipment to be paid by the owner; providing that a person who fails to pay such cost shall not be issued a certificate of registration for a vessel or motor vehicle; amending s. 327.70, F.S.; providing for the mailing of citations; amending s. 327.73, F.S.; revising provisions for citation of a noncriminal infraction to provide for violations relating to boating-restricted areas and speed limits;

revising provisions relating to establishment of such limits by counties and municipalities; amending s. 328.03, F.S.; requiring vessels used or stored on the waters of this state to be titled by this state pursuant to specified provisions; providing exceptions; amending s. 328.07, F.S.; requiring certain vessels used or stored on the waters of this state to have affixed a hull identification number; providing that a vessel in violation may be seized and subject to forfeiture; amending ss. 328.46, 328.48, and 328.56, F.S.; requiring vessels operated, used, or stored on the waters of this state to be registered and display the registration number; providing exceptions; amending s. 328.58, F.S., relating to reciprocity of non-resident or alien vessels; requiring the owner of a vessel with a valid registration from another state, a vessel with a valid registration from the United States Coast Guard in another state, or a federally documented vessel from another state to record the registration number with the Department of Highway Safety and Motor Vehicles when using or storing the vessel on the waters of this state in excess of the 90-day reciprocity period; amending s. 328.60, F.S.; providing an exception to registration requirements for military personnel using or storing on the waters of this state a vessel with a valid registration from another state, a vessel with a valid registration from the United States Coast Guard in another state, or a federally documented vessel from another state; amending s. 328.65, F.S.; revising legislative intent with respect to registration and numbering of vessels; amending s. 328.66, F.S.; authorizing a county to impose an annual registration fee on vessels used on the waters of this state within its jurisdiction; amending s. 328.72, F.S.; providing noncriminal penalties for use or storage of a previously registered vessel after the expiration of the registration period; exempting vessels lawfully stored at a dock or in a marina; amending ss. 369.20, 369.22, and 369.25, F.S.; providing that the commission has the authority to enforce statutes relating to aquatic weeds and plants; amending s. 379.304, F.S.; providing that anyone violating the provisions governing the sale or exhibition of wildlife is subject to specified penalties relating to captive wildlife; amending s. 379.338, F.S.; authorizing an investigating law enforcement agency to dispose of illegally taken wildlife, freshwater fish, or saltwater fish in certain specified ways; requiring that live wildlife, freshwater fish, and saltwater fish be properly documented as evidence and returned to the habitat unharmed; requiring that nonnative species be disposed of in accordance with rules of the Fish and Wildlife Conservation Commission; providing for the disposition of furs and hides; requiring that the proceeds of sales be deposited in the State Game Trust Fund or the Marine Resources Conservation Trust Fund; requiring the Fish and Wildlife Conservation Commission to give to a state, municipal, or county law enforcement agency that enforces or assists the commission in enforcing the law all or a portion of the value of any property forfeited during an enforcement action; creating s. 379.3381, F.S.; providing that photographs of wildlife or freshwater or saltwater fish may be offered into evidence to the same extent as if the wildlife, freshwater fish, or saltwater fish were directly introduced as evidence; requiring that the photograph be accompanied by a writing containing specified information relating to the illegal seizure of the wildlife or freshwater or saltwater fish; requiring that the wildlife or freshwater or saltwater fish be disposed of as provided by law; amending s. 379.353, F.S.; providing that a resident of this state is exempt from paying certain recreational licenses if the person is eligible for Medicaid services and has been issued an identification card by the Agency for Health Care Administration; amending s. 379.3671, F.S.; providing that if a certificate issued to a person to use a spiny lobster trap is not renewed within a specified period, the certificate will be considered abandoned and revert to the commission; amending s. 379.3751, F.S.; revising the alligator trapping agent’s license and the alligator farming agent’s license to allow the trapper and the farmer to possess, process, and sell the hides and meat of the alligator; removing the limitation that an alligator trapping agent’s license could be issued only in conjunction with an alligator trapping license; amending s. 379.3761, F.S.; providing penalties for the wrongful exhibition or sale of wildlife; amending s. 379.3762, F.S.; revising penalties for a person who unlawfully possesses wildlife; amending s. 379.401, F.S.; making it a level 2 violation for a person to feed or entice an alligator or crocodile and a level 4 violation for a person to illegally kill, injure, or capture an alligator or crocodile; amending s. 379.4015, F.S.; making it a level 2 violation for a person to illegally exhibit or sell wildlife; requiring the commission to establish a pilot program for regulating the anchoring or mooring of non-live-aboard vessels outside public mooring fields; providing geographic regions for the pilot project; specifying the goals of the pilot program; providing requirements; requiring a report to the Governor and Legislature; creating s. 379.501, F.S.; providing penalties for unlawfully disturbing aquatic weeds and plants; providing that a person

is liable to the state for any damage caused to the aquatic weeds or plants and for civil penalties; providing that if a person willfully harm aquatic weeds and plants he or she commits a felony of the third degree; providing criminal penalties; creating s. 379.502, F.S.; authorizing the commission to seek judicial or administrative remedies for unlawfully disturbing aquatic weeds and plants; providing for procedures; authorizing a respondent to request mediation; providing for an award of attorney's fees; providing requirements for calculating administrative penalties; providing for the administrative law judge to consider evidence of mitigation; requiring that penalties be deposited into the Invasive Plant Control Trust Fund; creating s. 379.503, F.S.; authorizing the commission to seek injunctive relief; providing that the judicial and administrative remedies are alternative and mutually exclusive; creating s. 379.504, F.S.; providing that anyone who unlawfully disturbs aquatic weeds or plants is subject to civil penalties; authorizing a court to impose a civil penalty for each offense in an amount not to exceed \$10,000 per offense; providing for joint and several liability; providing for determining the value of fish killed for purposes of assessing damages; amending s. 403.088, F.S.; requiring the commission to approve a program intended to control aquatic weeds or algae; providing for a type II transfer of the Bureau of Invasive Plant Management in the Department of Environmental Protection to the Fish and Wildlife Conservation Commission; providing for the transfer of the Invasive Plant Control Trust Fund to the Fish and Wildlife Conservation Commission; reenacting s. 379.209(2), F.S., relating to funds credited to the Nongame Wildlife Trust Fund, to incorporate an amendment made to s. 319.32 F.S., in a reference thereto; reenacting s. 379.3581(7), F.S., relating to hunting safety, to incorporate the amendment made to s. 379.353, F.S., in a reference thereto; providing an appropriation; repealing s. 327.22, F.S.; repealing s. 379.366(7), F.S.; to abrogate the expiration of provisions imposing blue crab effort management program fees and penalties; providing effective dates.

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By the Committee on Commerce; and Senator Baker—

**CS for SB 2592**—A bill to be entitled An act relating to the energy-efficient appliance rebate program; creating s. 377.807, F.S.; authorizing the Florida Energy and Climate Commission to develop and administer the program; authorizing the commission to adopt rules; providing for the commission to enter into contracts or memoranda of agreement with other state agencies or partnerships; providing an effective date.

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By the Committee on Health Regulation; and Senator Gaetz—

**CS for SB 2614**—A bill to be entitled An act relating to the Healthy and Fit Florida Act; amending s. 154.503, F.S.; conforming a cross-reference; repealing s. 381.0053, F.S., relating to a comprehensive nutrition program; repealing s. 381.0054, F.S., relating to healthy lifestyles promotion; repealing ss. 381.732, 381.733, and 381.734, F.S., relating to the Healthy Communities, Healthy People Act; transferring, renumbering, and amending s. 381.84, F.S., relating to the Comprehensive Statewide Tobacco Education and Use Prevention Program; revising definitions; revising program components; requiring program components to include efforts to educate youth and their parents about tobacco use; requiring a youth-directed focus in each program component; requiring the Tobacco Education and Use Prevention Advisory Council to adhere to state ethics laws; providing that meetings of the council are subject to public-records and public-meetings requirements; revising the duties of the council; deleting a provision that prohibits a member of the council from participating in a discussion or decision with respect to a research proposal by a firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual arrangement; revising the submission date of an annual report; deleting an expired provision relating to rulemaking authority of the department; transferring and renumbering s. 381.91, F.S., relating to the Jessie Trice Cancer Prevention Program; transferring, renumbering, and amending s. 381.911, F.S., relating to the Prostate Cancer Awareness Program; revising the criteria for members of the prostate cancer advisory committee; repealing s. 381.912, F.S., relating to the Cervical Cancer Elimination Task Force; transferring and renumbering s. 381.92, F.S., relating to the Florida Cancer Council; transferring and renumbering s. 381.921, F.S., relating to the mission and duties of the Florida Cancer Council; amending s. 381.922, F.S.; conforming cross-references; transferring and renumbering s. 381.93, F.S., relating to a breast and cervical cancer

early detection program; transferring and renumbering s. 381.931, F.S., relating to an annual report on Medicaid expenditures; renaming ch. 385, F.S., as the “Healthy and Fit Florida Act”; amending s. 385.101, F.S.; renaming the “Chronic Diseases Act” as the “Healthy and Fit Florida Act”; amending s. 385.102, F.S.; revising legislative intent; creating s. 385.1021, F.S.; providing definitions; creating s. 385.1022, F.S.; requiring the Department of Health to support public health programs to reduce the incidence of mortality and morbidity from chronic diseases; creating s. 385.1023, F.S.; requiring the department to create state-level programs that address the risk factors of certain chronic diseases; providing required activities of the state-level programs; amending s. 385.103, F.S.; providing for community-level programs for the prevention of chronic diseases; revising definitions; requiring the department to develop and implement a community-based chronic disease prevention and health promotion program; providing the purpose of the program; providing requirements for the program; creating s. 385.105, F.S.; requiring the department to develop programs to increase physical fitness, to work with school districts, to develop partnerships that allow the public to access recreational facilities and public land areas suitable for physical activity, to work with the Executive Office of the Governor and Volunteer Florida, Inc., to promote school initiatives, and to collaborate with the Department of Education in recognizing nationally accepted best practices for improving physical education in schools; requiring the Department of Health to promote healthy lifestyles to reduce obesity; requiring the department to promote optimal nutritional status in all stages of people's lives, personal responsibility to prevent chronic disease or slow its progression, and regular health visits during a person's life span; authorizing state agencies to conduct employee wellness programs; requiring the department to serve as a model to develop and implement employee wellness programs; requiring the department to assist state agencies to develop the employee wellness programs; providing equal access to the programs by agency employees; requiring the department to coordinate efforts with the Department of Management Services and other state agencies; authorizing each state agency to establish an employee wellness work group to design the wellness program; requiring the department to provide requirements for participation fees, collaborations with businesses, and procurement of equipment and incentives; amending s. 385.202, F.S.; requiring facilities, laboratories, and practitioners to report information; authorizing the department to adopt rules regarding reporting requirements for the cancer registry; providing immunity from liability for facilities and practitioners reporting certain information; requiring the department to adopt rules regarding the establishment and operation of a statewide cancer registry program; requiring the department or contractual designee operating the statewide cancer registry program to use or publish material only for the purpose of public health surveillance and advancing medical research or medical education in the interest of reducing morbidity or mortality; authorizing the department to exchange personal data with any agency or contractual designee for the purpose of public health surveillance and medical or scientific research under certain circumstances; clarifying that the department may adopt rules regarding the classifications of facilities related to reports made to the cancer registry; requiring each facility and practitioner that reports cancer cases to the department to make their records available for onsite review; amending s. 385.203, F.S.; increasing the size of the Diabetes Advisory Council to include one representative of the Florida Academy of Family Physicians; amending s. 385.206, F.S.; renaming the “hematology-oncology care center program” as the “Pediatric Hematology-Oncology Center Program”; revising definitions; authorizing the department to designate centers and provide funding to maintain programs for the care of patients with hematologic and oncologic disorders; clarifying provisions related to grant-funding agreements and grant disbursements; revising the department's requirement to evaluate services rendered by the centers; requiring data from the centers and other sources relating to pediatric cancer to be available to the department for program planning and quality assurance initiatives; amending s. 385.207, F.S.; clarifying provisions that require the department to collect information regarding the number of clients served, the outcomes reached, the expense incurred, and fees collected by providers of epilepsy services; deleting the provision that requires the department to limit administrative expenses from the Epilepsy Services Trust Fund to a certain percentage of annual receipts; amending s. 385.210, F.S.; revising legislative findings regarding the economic costs of treating arthritis and its complications; authorizing the State Surgeon General to seek any federal waivers that may be necessary to maximize funds from the Federal Government to implement the Arthritis Prevention and Education Program; creating s. 385.301, F.S.; authorizing the department to adopt

rules to administer the act; amending s. 409.904, F.S.; conforming a cross-reference; providing an effective date.

By the Committees on Commerce; and Transportation; and Senator Haridopolos—

**CS for CS for SB 2630**—A bill to be entitled An act relating to motor vehicle dealerships; amending s. 320.64, F.S.; revising provisions prohibiting certain acts by a motor vehicle manufacturer, factory branch, distributor, or importer licensed under specified provisions; revising conditions and procedures for certain audits; removing a presumption that a dealer had no actual knowledge that a customer intended to export or resell a motor vehicle; clarifying a dealer's eligibility requirements for licensee-offered program bonuses, incentives, and other benefits; requiring certain payments if a termination, cancellation, or nonrenewal of a dealer's franchise is the result of bankruptcy or reorganization; amending s. 320.642, F.S.; revising provisions for establishing an additional motor vehicle dealership in or relocating an existing dealer to a location within a community or territory where the same line-make vehicle is presently represented by a franchised motor vehicle dealer or dealers; revising notice requirements; revising provisions for denial of an application for a motor vehicle dealer license in any community or territory; revising provisions for evidence to be considered by the Department of Highway Safety and Motor Vehicles when evaluating the application; revising provisions under which a dealer has standing to protest a proposed additional or relocated motor vehicle dealer; revising provisions for a proposed addition or relocation concerning a dealership that performs only service; amending s. 320.643, F.S.; revising provisions for a transfer, assignment, or sale of franchise agreements; prohibiting rejection of proposed transfer of interest in a motor vehicle dealer entity to a trust or other entity, or a beneficiary thereof, which is established for estate-planning purposes; prohibiting placing certain conditions on such transfer; revising provisions for a hearing by the department or a court relating to a proposed transfer; amending s. 320.696, F.S.; eliminating one of the methods for determining warranty labor and parts reimbursement and more particularly describing exceptions to such calculations; providing for severability; providing an effective date.

By the Committee on Higher Education; and Senator Pruitt—

**CS for SB 2682**—A bill to be entitled An act relating to the Florida College System; amending s. 20.15, F.S.; renaming the Division of Community Colleges as the Division of Florida Colleges; amending s. 1000.21, F.S.; defining the terms "Florida college" and "community college"; specifying the counties served by each Florida college; renaming specified Florida colleges; amending s. 1001.60, F.S.; providing that the Florida College System consists of specified Florida colleges; authorizing a Florida college to change the institution's name to include "college" or "state college" under specified circumstances; requiring the district board of trustees to seek statutory codification of name changes; conforming provisions to changes made by the act; amending s. 1004.65, F.S.; providing that each Florida college shall be governed by a district board of trustees; defining a Florida college district; providing that the open-door admission policy of Florida colleges applies to lower-division programs; providing that the primary mission of Florida colleges includes the provision of upper-level instruction and baccalaureate degrees as authorized by law; conforming provisions to changes made by the act; repealing s. 1004.73, F.S., relating to St. Petersburg College; repealing s. 1004.875, F.S., relating to the State College Pilot Project; amending s. 1007.23, F.S.; providing that associate in arts graduates of Florida colleges must be granted admission to the upper division of a Florida college and shall receive priority for such admission over out-of-state students; requiring specified publications of Florida colleges and state universities to include certain information; conforming provisions to changes made by the act; amending s. 1007.33, F.S.; providing a definition for the term "district"; authorizing Florida colleges, which were not authorized to offer baccalaureate degree programs before July 1, 2009, to submit an initial proposal for approval to transition to state college status and offer such programs to the State Board of Education; providing requirements for such approval; authorizing Florida colleges, which were authorized to offer baccalaureate degrees before July 1, 2009, to develop additional degree programs and submit proposals for such programs to their local Board of Trustees; providing requirements for such proposals; providing for appeal to the State Board of Education;

requiring that a Florida college notify the Chancellor of the Florida College System in advance of its intent to develop or propose additional programs; requiring that the college engage in need, demand, and impact discussions with other local and regional accredited postsecondary providers; specifying requirements for Florida colleges offering baccalaureate degree programs; requiring that the State Board of Education adopt specified rules; conforming provisions to changes made by the act; amending ss. 120.65, 288.8175, 1001.61, 1004.70, 1004.87, and 1009.23, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

**CS for CS for SB 2694**—A bill to be entitled An act relating to state financial matters; amending s. 216.292, F.S.; providing that certain transfers of appropriations by the head of an agency or the Chief Justice may be made only if specific authority is provided in the General Appropriations Act; amending s. 216.311, F.S.; prohibiting an agency or branch of state government from contracting to pay, without legislative authority, liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from contracting to pay interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting to a party the right to collect fees or other revenues from nonparties; providing that such contracts are null and void; prohibiting an agency from entering into certain lease or lease-purchase agreements unless expressly authorized by the Legislature; providing exceptions for certain agency contracts or agreements; authorizing the State Board of Administration to enter into contracts and other agreements that are necessary to carry out the investment duties of the board; defining the terms "contract" and "agreement"; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and the Legislature before entering into contracts or agreements in excess of a certain amount, which authorize expenditures in anticipation of revenues, or for which payment is delayed for a certain time after expenditure; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds the contract; providing an exception; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; providing an exception; requiring the agency head or chief judge to sign contracts that exceed a certain amount; requiring the agency head or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred payment purchases by state agencies unless expressly authorized by the Legislature in the appropriations act; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the appropriations act; providing for application; providing an effective date.

## REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Health Regulation; and Senator Aronberg—

**CS for SM 152**—A memorial to the Congress of the United States, urging Congress to support federally funded and state-funded home and community-based services for individuals with disabilities of any age, especially elders.

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

By the Committee on Community Affairs; and Senator Bennett—

**CS for SB 362**—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; redefining the term "existing urban service area" as "urban service area"; defining the term "dense urban land area"; requiring the Office of Economic and Demographic

Research to annually calculate the population and density criteria needed to determine which jurisdictions qualify as dense urban land areas; providing for the use of certain data and certain boundaries for such determination; requiring the Office of Economic and Demographic Research to submit to the state land planning agency the list of jurisdictions that meet certain criteria by a specified date; requiring the state land planning agency to publish such list; amending s. 163.3177, F.S.; authorizing the state land planning agency to allow for a projected 5-year capital outlay full-time equivalent student growth rate to exceed certain percent under certain circumstances; amending s. 163.3180, F.S.; revising concurrency requirements; revising legislative findings; providing for the applicability of transportation concurrency exception areas; deleting certain requirements for transportation concurrency exception areas; requiring that a local government that has certain transportation concurrency exception area adopt land use and transportation strategies within a specified timeframe; requiring the state land planning agency to submit certain finding to the Administration Commission; 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 that the Office of Program Policy Analysis and Government Accountability submit a report to the Legislature by a specified date; requiring that the report contain certain information relating to transportation concurrency exception areas; providing for an exemption from level-of-service standards for proposed development related to qualified job creation projects; revising provisions relating to school concurrency requirements; requiring that charter schools be considered as a mitigation option under certain circumstances; creating s. 163.31802, F.S.; prohibiting the establishment of local security standards requiring businesses to expend funds to enhance local governmental services or functions under certain circumstances; providing an exception; 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; providing legislative findings and determinations relating to replacing the transportation concurrency system with a mobility fee system; requiring that the state land planning agency and the Department of Transportation develop a methodology for a mobility fee system; requiring that the state land planning agency and the department submit joint reports to the Legislature by a specified date; extending certain permits, orders, or applications that are due to expire on or before September 1, 2011; providing for application of the extension to certain related activities; providing exceptions; providing a declaration of important state interest; providing an effective date.

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

By the Committee on Community Affairs; and Senator Fasano—

**CS for SB 624**—A bill to be entitled An act relating to law enforcement officers and correctional officers; amending s. 112.532, F.S.; providing that a law enforcement officer or correctional officer is entitled to specified rights if the officer is subject to suspension in a disciplinary proceeding; providing that a law enforcement officer or correctional officer is entitled to review witness statements by other officers and other existing evidence before the officer under investigation is interrogated; providing that time-limitation periods will be tolled during disciplinary proceedings under certain specified circumstance; amending s. 112.533, F.S.; authorizing a law enforcement officer or correctional officer who is subject to an investigation, and the officer's legal counsel, to review specified documents and recordings before the investigative interview; amending s. 112.534, F.S.; providing procedures and remedies to the officer if an agency intentionally fails to comply with specified provisions; providing that the officer bears the burden of proof to establish intentional violations; providing that the standard of proof is a preponderance of the evidence; providing an effective date.

—was referred to the Committee on Governmental Oversight and Accountability.

By the Committee on Higher Education; and Senator Oelrich—

**CS for SB 844**—A bill to be entitled An act relating to postsecondary distance learning; creating s. 1004.091, F.S.; establishing the Florida

Distance Learning Consortium; requiring that the Board of Governors and the State Board of Education jointly oversee the consortium; authorizing the consortium to enter into contracts for administrative services; providing duties for the consortium; amending ss. 1009.23 and 1009.24, F.S.; defining the term "distance learning course" for purposes of assessing a distance learning course user fee for community college and state university students; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By the Committees on Environmental Preservation and Conservation; and Communications, Energy, and Public Utilities; and Senator King—

**CS for 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. 403.503, F.S.; revising the definition of "electrical power plant"; amending s. 525.09, F.S.; imposing a fee on alternative fuel containing alcohol; 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 Policy and Steering Committee on Ways and Means.

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

**CS for SB 1462**—A bill to be entitled An act relating to recycling; amending ss. 403.7032 and 14.2015, F.S.; directing the Department of Environmental Protection and the Office of Tourism, Trade, and Economic Development to create the Recycling Business Assistance Center; providing requirements; authorizing the Office of Tourism, Trade, and Economic Development to consult with Enterprise Florida, Inc., and other state agency personnel; amending s. 403.707, F.S.; providing for inspections of waste-to-energy facilities by the Department of Environmental Protection; repealing s. 288.1185, F.S., relating to the Recycling Markets Advisory Committee; providing an effective date.

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

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

**CS for SB 1798**—A bill to be entitled An act relating to state employees; providing for the resolution of economic collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing an effective date.

—was placed on the Calendar.

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

**CS for SB 1800**—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; providing the state's monthly contribution to an employee's health savings account for the 2009-2010 fiscal year; deleting a provision that requires that health savings accounts be administered in accordance with the federal requirements and limitations of the Medicare Prescription Drug, Improvement, and Modernization Act; providing an effective date.

—was placed on the Calendar.

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

**CS for SB 1802**—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2009, and July 1, 2010; providing a declaration of important state interest; providing an effective date.

—was placed on the Calendar.

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

**CS for SB 1804**—A bill to be entitled An act relating to state-owned real property; amending s. 253.034, F.S.; requiring the state to offer to lease state-owned buildings or lands to state agencies and universities before being offered for sale or lease to others; amending s. 255.249, F.S.; requiring the Department of Management Services to adopt rules relating to leases of privately owned buildings; requiring that the department determine if certain leases are in the best interests of the state; amending s. 255.25, F.S.; requiring that an agency seeking to lease a privately owned building or land receive a determination from the Department of Management Services that the lease serves the best interests of the state; amending s. 627.351, F.S.; subjecting Citizens Property Insurance Corporation to ch. 255, F.S., relating to public property and publicly owned buildings; requiring the Department of Management Services to create and maintain a database of state-owned property; providing requirements for the database; requiring a report to the Governor and Legislature; requiring the Department of Management Services to begin the process to dispose of certain buildings; providing an effective date.

—was placed on the Calendar.

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

**CS for SB 1806**—A bill to be entitled An act relating to the service charge on income of trust funds; amending s. 215.20, F.S.; increasing the service charge on income of a revenue nature deposited into certain trust funds; applying the increased service charge to service charges deposited into the General Revenue Fund on or after a certain date; deleting provisions providing a reduced service charge on the income of certain trust funds; amending s. 527.23, F.S.; increasing surcharge on income of a trust fund for income relating to marketing orders; amending s. 570.20, F.S.; increasing the service charge on income to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services; amending s. 601.15, F.S.; increasing the service charge on income to the Florida Citrus Advertising Trust Fund; providing an effective date.

—was placed on the Calendar.

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

**CS for SB 1950**—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; revising the dates of an insurer's contract year for purposes of calculating the insurer's retention; re-

quiring the State Board of Administration to offer an additional amount of reimbursement coverage to certain insurers that purchased coverage during a certain calendar year; requiring an insurer that purchases certain coverage to retain an amount equal to a percentage of the insurer's surplus on a certain date; providing that an insurer's retention will apply along with a mandatory coverage after an optional coverage is exhausted; revising an expiration date on the requirement for the State Board of Administration to offer certain optional coverage to insurers; revising the dates on which the State Board of Administration is required to publish a statement of the estimated borrowing capacity of the Hurricane Catastrophe Fund; authorizing the State Board of Administration to reimburse insurers based on a formula related to the claims-paying capacity of the Hurricane Catastrophe Fund; requiring the formula to determine an actuarially indicated premium to include specified cash build-up factors; authorizing insurers to purchase temporary increased coverage limit for certain future hurricane seasons; providing that a cash build-up factor does not apply to temporary increased coverage limit premiums; providing dates on which the claims-paying capacity of the fund will increase; deleting authority for the State Board of Administration to increase the claims-paying capacity of the Hurricane Catastrophe Fund; amending s. 627.062, F.S.; revising the date by which certain filings for a rate increase must be made by a file and use filing; exempting certain rate filings from determination by the Office of Insurance Regulation that the rate in the rate filing is excessive or unfairly discriminatory; amending s. 627.0621, F.S.; deleting a limitation on the application of the attorney-client privilege and work product doctrine in challenges to actions by the Office of Insurance Regulation relating to rate filings; amending s. 627.0629, F.S.; authorizing an insurer to include in its rates the actual cost of certain reinsurance; amending s. 627.351, F.S.; deleting a provision requiring a seller of certain residential property to disclose the structure's windstorm mitigation rating to the prospective purchaser of the property; providing for members of the board of governors of Citizens Property Insurance Corporation to serve staggered terms; requiring Citizen's Property Insurance Corporation to implement rate increases until the implementation of actuarially sound rates; requiring the corporation to transfer a portion of the funds received from the rate increase into the General Revenue Fund; revising the dates after which the State Board of Administration is required to reduce the boundaries of high-risk areas eligible for wind-only coverages under certain circumstances; amending s. 627.3512, F.S.; authorizing insurers to recoup assessments within a certain period; requiring insurers to file a final accounting report with the Office of Insurance Regulation which documents the assessment recouped; requiring the officer of the insurer who signs the report to acknowledge certain statements; prohibiting insurers that do not file the report from including the uncollected assessment amount in any subsequent rate filing; amending s. 627.712, F.S.; revising the properties for which an insurer must make policies available which exclude windstorm coverage; amending s. 631.57, F.S.; deleting provisions requiring certain insurers to submit certain information; amending s. 631.64, F.S.; authorizing insurers to recoup certain assessments; requiring the recoupment to begin within a certain period; limiting the recoupment factor; authorizing insurers to carry forward certain assessments that have not been recouped; requiring insurers to file a final accounting report with the Office of Insurance Regulation which documents the assessment recouped; requiring the officer of the insurer who signs the report to acknowledge certain statements; providing that all excess recoupment be sent to the Florida Insurance Guaranty Association; requiring that the insurer document the accounting of the over-recoupment in the final accounting report; authorizing the commission to adopt rules; amending s. 631.65, F.S.; providing that an insurance agent is not prohibited from explaining the existence or function of the insurance guaranty association; providing for the appropriation of certain transferred funds to the Insurance Regulatory Trust Fund for purposes of the My Safe Florida Home Program; providing an effective date.

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

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

**CS for SB 2036**—A bill to be entitled An act relating to residential property insurance; amending s. 627.062, F.S.; authorizing certain insurers to use a rate in excess of the otherwise applicable filed rate; prohibiting the consideration of certain policies when making a specified calculation; preserving the authority of the Office of Insurance Regula-

tion to disapprove rates as inadequate or disapprove a rate filing for using an unlawful rating factor; authorizing the office to direct an insurer to make a specified type of rate filing under certain circumstances; creating s. 627.7031, F.S.; authorizing an insurer to offer or renew policies at rates established in accordance with specified provisions of state law if certain conditions are met; requiring that certain policies contain a specified notice; providing for applicability; providing an effective date.

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

By the Committees on Finance and Tax; and Judiciary; and Senators Lawson and Gelber—

**CS for CS for SB 2430 and SB 1960**—A bill to be entitled An act relating to the discretionary surtax on documents; amending s. 3, ch. 83-220, Laws of Florida, as amended; extending a future repeal date of provisions authorizing counties to levy a discretionary surtax on documents; amending s. 125.0167, F.S.; limiting the percentage of surtax revenues that may be used for administrative costs; specifying a minimum amount of surtax revenues to be used for housing for certain low-income and moderate-income families; requiring an affirmative vote of a local government governing body to rehabilitate certain government-owned housing; authorizing certain counties to create by ordinance a housing choice assistance voucher program for the purpose of down payment assistance; providing definitions; providing eligibility requirements for such vouchers; authorizing purchasing employers to file for allocations for such vouchers; limiting allocations; requiring distribution of allocations to employees in the form of such vouchers; prohibiting use of allocations for such vouchers if not awarded within a certain period after certain documentary stamps taxes are collected; requiring the Office of Program Policy Analysis and Government Accountability to conduct a continuing review of the discretionary surtax program operated by counties; requiring reports to the Legislature; providing legislative intent to reverse a judicial opinion relating to the application of the excise tax on documents to certain transactions involving legal entities; amending s. 201.02, F.S.; providing that the excise tax on documents applies to transfers involving the exchange of real property for shares of stock or as a capital contribution; imposing the tax on deeds, instruments, and other writings on the consideration for a transfer of real property pursuant to a short sale; providing that the consideration subject to the tax does not include unpaid indebtedness that is forgiven by a mortgagee; defining the term “short sale”; directing the Department of Revenue to readopt rules relating to the application of the excise tax on documents to transfers of real property involving a legal entity; providing intent that the statutory changes relating to the application of the excise tax on documents for transfers involving legal entities are to be clarifying and remedial in nature; authorizing the Department of Revenue to adopt emergency rules relating to short sales; amending s. 201.031, F.S.; expanding requirements for counties levying the discretionary surtax to include housing plan, affordable housing element, and annual reporting requirements; amending s. 719.105, F.S.; conforming a cross-reference; providing for application of specified provisions of the act; providing effective dates.

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

By the Committee on Health Regulation; and Senator Gaetz—

**CS for SB 2614**—A bill to be entitled An act relating to the Healthy and Fit Florida Act; amending s. 154.503, F.S.; conforming a cross-reference; repealing s. 381.0053, F.S., relating to a comprehensive nutrition program; repealing s. 381.0054, F.S., relating to healthy lifestyles promotion; repealing ss. 381.732, 381.733, and 381.734, F.S., relating to the Healthy Communities, Healthy People Act; transferring, renumbering, and amending s. 381.84, F.S., relating to the Comprehensive Statewide Tobacco Education and Use Prevention Program; revising definitions; revising program components; requiring program components to include efforts to educate youth and their parents about tobacco use; requiring a youth-directed focus in each program component; requiring the Tobacco Education and Use Prevention Advisory Council to adhere to state ethics laws; providing that meetings of the council are subject to public-records and public-meetings requirements; revising the duties of the council; deleting a provision that prohibits a member of the council from participating in a discussion or decision with respect to a

research proposal by a firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual arrangement; revising the submission date of an annual report; deleting an expired provision relating to rulemaking authority of the department; transferring and renumbering s. 381.91, F.S., relating to the Jessie Trice Cancer Prevention Program; transferring, renumbering, and amending s. 381.911, F.S., relating to the Prostate Cancer Awareness Program; revising the criteria for members of the prostate cancer advisory committee; repealing s. 381.912, F.S., relating to the Cervical Cancer Elimination Task Force; transferring and renumbering s. 381.92, F.S., relating to the Florida Cancer Council; transferring and renumbering s. 381.921, F.S., relating to the mission and duties of the Florida Cancer Council; amending s. 381.922, F.S.; conforming cross-references; transferring and renumbering s. 381.93, F.S., relating to a breast and cervical cancer early detection program; transferring and renumbering s. 381.931, F.S., relating to an annual report on Medicaid expenditures; renaming ch. 385, F.S., as the “Healthy and Fit Florida Act”; amending s. 385.101, F.S.; renaming the “Chronic Diseases Act” as the “Healthy and Fit Florida Act”; amending s. 385.102, F.S.; revising legislative intent; creating s. 385.1021, F.S.; providing definitions; creating s. 385.1022, F.S.; requiring the Department of Health to support public health programs to reduce the incidence of mortality and morbidity from chronic diseases; creating s. 385.1023, F.S.; requiring the department to create state-level programs that address the risk factors of certain chronic diseases; providing required activities of the state-level programs; amending s. 385.103, F.S.; providing for community-level programs for the prevention of chronic diseases; revising definitions; requiring the department to develop and implement a community-based chronic disease prevention and health promotion program; providing the purpose of the program; providing requirements for the program; creating s. 385.105, F.S.; requiring the department to develop programs to increase physical fitness, to work with school districts, to develop partnerships that allow the public to access recreational facilities and public land areas suitable for physical activity, to work with the Executive Office of the Governor and Volunteer Florida, Inc., to promote school initiatives, and to collaborate with the Department of Education in recognizing nationally accepted best practices for improving physical education in schools; requiring the Department of Health to promote healthy lifestyles to reduce obesity; requiring the department to promote optimal nutritional status in all stages of people’s lives, personal responsibility to prevent chronic disease or slow its progression, and regular health visits during a person’s life span; authorizing state agencies to conduct employee wellness programs; requiring the department to serve as a model to develop and implement employee wellness programs; requiring the department to assist state agencies to develop the employee wellness programs; providing equal access to the programs by agency employees; requiring the department to coordinate efforts with the Department of Management Services and other state agencies; authorizing each state agency to establish an employee wellness work group to design the wellness program; requiring the department to provide requirements for participation fees, collaborations with businesses, and procurement of equipment and incentives; amending s. 385.202, F.S.; requiring facilities, laboratories, and practitioners to report information; authorizing the department to adopt rules regarding reporting requirements for the cancer registry; providing immunity from liability for facilities and practitioners reporting certain information; requiring the department to adopt rules regarding the establishment and operation of a statewide cancer registry program; requiring the department or contractual designee operating the statewide cancer registry program to use or publish material only for the purpose of public health surveillance and advancing medical research or medical education in the interest of reducing morbidity or mortality; authorizing the department to exchange personal data with any agency or contractual designee for the purpose of public health surveillance and medical or scientific research under certain circumstances; clarifying that the department may adopt rules regarding the classifications of facilities related to reports made to the cancer registry; requiring each facility and practitioner that reports cancer cases to the department to make their records available for onsite review; amending s. 385.203, F.S.; increasing the size of the Diabetes Advisory Council to include one representative of the Florida Academy of Family Physicians; amending s. 385.206, F.S.; renaming the “hematology-oncology care center program” as the “Pediatric Hematology-Oncology Center Program”; revising definitions; authorizing the department to designate centers and provide funding to maintain programs for the care of patients with hematologic and oncologic disorders; clarifying provisions related to grant-funding agreements and grant disburse-

ments; revising the department's requirement to evaluate services rendered by the centers; requiring data from the centers and other sources relating to pediatric cancer to be available to the department for program planning and quality assurance initiatives; amending s. 385.207, F.S.; clarifying provisions that require the department to collect information regarding the number of clients served, the outcomes reached, the expense incurred, and fees collected by providers of epilepsy services; deleting the provision that requires the department to limit administrative expenses from the Epilepsy Services Trust Fund to a certain percentage of annual receipts; amending s. 385.210, F.S.; revising legislative findings regarding the economic costs of treating arthritis and its complications; authorizing the State Surgeon General to seek any federal waivers that may be necessary to maximize funds from the Federal Government to implement the Arthritis Prevention and Education Program; creating s. 385.301, F.S.; authorizing the department to adopt rules to administer the act; amending s. 409.904, F.S.; conforming a cross-reference; providing an effective date.

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

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

### EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Citrus Commission Appointee: Pena, Virginia S., Clewiston	05/31/2011
Florida Communities Trust Appointees: Alfonso, Albert E., Tampa Lindblad, A. Erick, Ft. Myers	01/31/2013 01/31/2013
Construction Industry Licensing Board Appointee: Malphus, Wilbert, Lutz	10/31/2010
Board of Cosmetology Appointees: Ritenbaugh, Laurel K., Plant City Smith, Monica Schuloff, Palmetto Bay	10/31/2012 10/31/2011
Education Practices Commission Appointee: Walker, Cindi, Loxahatchee	01/20/2013
Electrical Contractors' Licensing Board Appointees: Bramlett, Robert M., Ocala Thomas, Noel H., Keystone Heights	10/31/2012 10/31/2012
Board of Professional Geologists Appointees: Harmon, James J., Palm Springs Poppell, Robert R., Tallahassee	10/31/2011 10/31/2012
Board of Massage Therapy Appointees: Ford, Karen Goff, Punta Gorda Smallwood, Robert, Key West Stoehs, William F., Hudson	10/31/2011 10/31/2011 10/31/2010

### *Office and Appointment*

Board of Nursing Appointees: Colin, Jessie M., Cooper City Denker, Ann-Lynn, Miami Newman, Jody Bryant, Clermont	10/31/2012 10/31/2012 10/31/2009
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Florida Real Estate Appraisal Board Appointee: Oreto, Evalyn F., Hudson	10/31/2011
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Withlacoochee River Basin Board of the Southwest Florida Water Management District Appointee: Rice, Kelly S., Webster	03/01/2011
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### **Referred to the Committee on Ethics and Elections.**

Florida Energy and Climate Commission Appointee: Harrison, Debra "Debbie" S., Marathon	09/30/2011
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### **Referred to the Committees on Communications, Energy, and Public Utilities; and Ethics and Elections.**

State Board of Education Appointee: Martinez, Roberto, Coral Gables	12/31/2012
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### **Referred to the Committees on Education Pre-K - 12; and Ethics and Elections.**

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 7 was corrected and approved.

## CO-INTRODUCERS

Senators Altman—SB 1122; Aronberg—CS for CS for CS for SB 462, CS for SB 2462; Deutch—SB 1066; Fasano—CS for SJR 1550; Gaetz—CS for SB 270; Hill—CS for SB 198; Joyner—SB 1480; Lynn—CS for CS for SB 478, SB 1572; Oelrich—CS for CS for SB 1502

## RECESS

On motion by Senator Aronberg, the Senate recessed at 2:18 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Thursday, April 16 or upon call of the President.

## SENATE PAGES

April 13-17, 2009

Mackenzie Alexander, Rockledge; Dexter "Dex" Barge, Jr., Valrico; Jennifer "Jenn" Beatty, Ft. Myers; Edward Becht, Sarasota; Samuel P. Block, Tallahassee; Douglas Chico, Tallahassee; Shaun Dickinson, Tampa; Maxwell "Max" Giverson, Ocala; Nicholas "Cole" Gilliam, Valrico; Kristilee Ginther, Chuluota; Celia Glassman, Tallahassee; Max Gleber, Ft. Lauderdale; Sarah Haas, Winter Springs; Colleen Heeney, Lake City; Cadeshia Jones, Tallahassee; John Ketring, Perry; Phillip Malecot, Largo; Dana Martin, Quincy; Georgia May, Tallahassee; Matthew Nuzzo, Trinity; Andrew Sherman, Greenwood; Kathleen Stembridge, Tampa; Lauren Todd, Ft. Myers; Karly Vojnar, Pierson