



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President Atwater at 1:48 p.m. A quorum present—40:

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

## PRAYER

The following prayer was offered by Colonel James M. Fogle-Miller, State Chaplain, Florida National Guard, Lakeland; who served in Iraq in 2003 and Afghanistan in 2005-2006:

Holy One, in difficult times you call forth one to lead the many. Esther kept her people from ruin. David stood forth against a giant. Moses led complaining people to a new land. You called, demanding courage. You set difficult tasks, not easy ones. You wanted the right thing rather than the popular thing. For those who answered your call in the past, we give thanks.

Holy One, Florida faces difficult times and still you call one to lead many: Legislators to represent their constituents; Senators to stand forth from their districts; the Governor to lead the state. Give them courage and wisdom to handle the difficult challenges, not simply the easy ones; to do the right thing, rather than merely popular; to be your people in such a time as this. For the ones who today lead the many, we give thanks.

Holy One, on this National Guard Day, especially do we give thanks for the one who, in extremely difficult times, led the many in the Florida National Guard. He stood forth with courage and wisdom. He handled difficult challenges with grace and determination. He chose the harder right, not the easier wrong. He answered your call. Thank you, God, for Douglas Burnett, a Florida Guardsman. Amen.

## HONOR GUARD

At the direction of the President, the Sergeant at Arms opened the doors of the chamber and an Honor Guard of the Florida National Guard marched into the chamber bearing flags of the United States of America and the State of Florida.

The Honor Guard included the following members: Master Sergeant Thomas Aycock, Master Sergeant Karrie Warren, Major Sergeant Michael Haynes, Staff Sergeant Elle Dunning, Sergeant Bernice Watson, Staff Sergeant Jamaal Mitchell and Staff Sergeant Chaddrick Faison.

## PLEDGE

Major Wayne Southwell, who served in Afghanistan during Operation Enduring Freedom, 2005-2006; First Sergeant Gary Ehrishman, who served in Iraq during Operation Iraqi Freedom, 2008-2009; Sergeant Danielle Tyler-Eckel, who served in Iraq during Operation Iraqi Freedom, 2004-2005; and Specialist Ema Agyapong, who served in Iraq during Operation Iraqi Freedom, 2004-2005, led the Senate in the pledge of allegiance to the flag of the United States of America.

## SPECIAL PERFORMANCE

The President introduced Ashley Shannon, from Zephyrhills, Florida's 2009 Entertainer of the Year, female country vocalist and songwriter award recipient. Ashley sang "The Star-Spangled Banner."

## SPECIAL GUESTS

Senator Villalobos introduced former Senator Daniel Webster who was present in the chamber.

## SPECIAL RECOGNITION

The President recognized Senator Baker for remarks about "Military Day" at the Capitol. Senator Baker thanked the following Senators for their past military service: Senators Bennett, Dean, Hill, Richter and Thrasher; and the late Senator James E. "Jim" King, Jr.

The President also recognized Senator Bennett who thanked Senator Baker for his military service.

The President again recognized Ashley Shannon who sang "Bumper of My SUV" as a tribute to our troops.

## ADOPTION OF RESOLUTIONS

On motion by Senator Baker—

By Senators Baker, Atwater, Alexander, Altman, Aronberg, Bennett, Bullard, Constantine, Crist, Dean, Detert, Deutch, Diaz de la Portilla, Dockery, Fasano, Gaetz, Garcia, Gardiner, Gelber, Haridopolos, Hill, Jones, Joyner, Justice, Lawson, Lynn, Negron, Oelrich, Peaden, Rich,

Richter, Ring, Siplin, Smith, Sobel, Storms, Thrasher, Villalobos, Wilson, and Wise—

**SR 2780**—A resolution recognizing the outstanding lifetime service of Major General Douglas Burnett, Adjutant General of Florida.

WHEREAS, Major General Douglas Burnett began his military career in 1963, when he enlisted in the Florida Air National Guard shortly after graduating from high school in Jacksonville, and

WHEREAS, following basic training at Lackland Air Force Base, in Texas, Major General Douglas Burnett attended the United States Air Force Electronics School at Keesler Air Force Base, in Mississippi, and

WHEREAS, in 1969 Major General Douglas Burnett received a direct commission and attended undergraduate pilot training at Randolph Air Force Base, in Texas, and

WHEREAS, Major General Douglas Burnett earned his wings in June 1970 and, after completing F-102 training, was assigned as a full-time Alert Pilot in the NORAD mission in the 125th Fighter Group, and

WHEREAS, Major General Douglas Burnett was dual-qualified in both military fighter and transport aircraft in addition to flying commercially with Pan American World Airways and United Airlines, accumulating over 20,000 flying hours in the T-33, F-102, F-106, C-26, C-130H, C-131, C-54, Boeing 727, and McDonnell-Douglas DC-10, and

WHEREAS, Major General Douglas Burnett received a bachelor's degree in business administration from the University of Southern Mississippi and is a graduate of the Command and General Staff College and the Air War College, and

WHEREAS, Major General Douglas Burnett's military decorations include the Legion of Merit, Meritorious Service Medal with one oak leaf cluster, the Air Force Commendation Medal, the Air Force Achievement Medal, the Combat Readiness Medal with two oak leaf clusters, the Florida Cross, the Florida Distinguished Service Medal, and the Florida Commendation Medal, and

WHEREAS, Major General Douglas Burnett currently serves as Adjutant General of Florida and is a member of the Department of Defense Reserve Forces Policy Board, is actively involved with the National Guard Association of the United States, having served two terms on the executive council, and is a past president of the National Guard Officers Association of Florida, and

WHEREAS, Major General Douglas Burnett will be retiring as a two-star general on June 27, 2010, after 47 years of service, the longest serving officer in the history of the United States Air Force, NOW, THEREFORE,

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

That the members of the Senate congratulate Major General Douglas Burnett on his outstanding service to this state and this nation and express appreciation to him for his great sacrifice in protecting the freedoms enjoyed by all Americans.

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

—was introduced out of order and read by title. On motion by Senator Baker, **SR 2780** was read the second time in full and adopted.

#### SPECIAL GUESTS

Senator Baker introduced the following guest who was present in the chamber: Major General Douglas Burnett, Adjutant General of Florida; and his wife, Judy, and daughter, Julie, who were present in the gallery.

Upon request of the President, Senator Baker escorted the Adjutant General to the rostrum where he was presented a copy of the resolution. General Burnett briefly addressed the Senate.

#### SPECIAL PRESENTATION

**President Atwater:** Senators, we have a special guest with us today, seated on the floor to my right. There are fewer than 300 surviving members of the Women Air Force Service Pilots (WASPs), a civilian women's pilot organization that ferried planes to military bases, test-flew repaired planes and trained male aviation combat troops during WWII. More than 25,000 women applied to be WASPs; a total of 1,803 were accepted, and 1,074 graduated. They flew more than 60 million miles and flew every type of aircraft in the Army Air Force. They had to pay their own way to Texas for training. They received no military benefits and were trained with secondhand equipment. Thirty-eight of them lost their lives – and their fellow pilots had to take up collections to ship their bodies home. It took 35 years for the US government to officially recognize their service to our nation.

Mrs. Wise took up flying as a teenager growing up in West Virginia, where her father was an airport manager. A nurse the first two years of the war, she joined the WASPs in March 1944 in Sweetwater, Texas. On the crowded train to Texas, she met a young male pilot from Ohio also heading to military flight training, Warren Wise. The two soon became engaged and were married in 1946. Prior to coming onto the floor, I asked Mrs. Wise if it was love at first sight. She said, "I don't know about that, but I sure was tickled to meet him."

Graduating in October 1944, Wise spent the last three months of the WASP program at what is now Nellis Air Force Base in Las Vegas. She flew B-17 bombers to train male military gunners who shot at targets dragged by female pilots in accompanying planes. She had several "adventures," landing upside down once when a landing gear malfunctioned, and narrowly avoiding a train station during another landing.

After the war, her application to be a commercial airline pilot was turned down, but she flew private planes into the 1950s. In 1955, she and her husband made Tallahassee their home.

Last week, Mrs. Wise was in Washington to receive the Congressional Gold Medal. At this time, I would like to invite General Burnett and Sergeant Severance to escort Mrs. Wise and her son, John, to the center of the chamber for a presentation. Please join me in welcoming Mrs. Virginia Fisher Wise to the Florida Senate. Mrs. Wise, on behalf of the Florida Senate, please accept this Florida Senate Medallion of Excellence for your extraordinary contribution to the United States of America, and for being an inspiration and role model for so many young women all over the world.

#### DOCTOR OF THE DAY

The President recognized Dr. Robert Pickard of South Miami, sponsored by Senator Diaz de la Portilla, as doctor of the day. Dr. Pickard is an Ear, Nose and Throat Specialist, and is a Vietnam era veteran with 28 years of service.

#### ADOPTION OF RESOLUTIONS

At the request of Senator Lawson—

By Senator Lawson—

**SR 1482**—A resolution recognizing March 16, 2010, as "Florida Sigma Zeta Day" at the Capitol.

WHEREAS, Phi Beta Sigma Fraternity was founded at Howard University in Washington, D.C., on January 9, 1914, by A. Langston Taylor, Leonard F. Morse, and Charles I. Brown, and

WHEREAS, Zeta Phi Beta Sorority was founded at Howard University in Washington, D.C., on January 16, 1920, by Arizona Cleaver, Myrtle Tyler, Viola Tyler, Fannie Pettie, and Pearl Neal, and

WHEREAS, Phi Beta Sigma Fraternity, Inc., and Zeta Phi Beta Sorority, Inc., are the only constitutionally bound, historically black Greek fraternal organizations, and

WHEREAS, both Sigma and Zeta address the societal ills of the current day, such as gaps in the availability and accessibility of health care to racial and ethnic minority groups, and

WHEREAS, research indicates that blacks are disproportionately impacted by cancer, infant mortality, and HIV/AIDS; have less access to adequate health care; and are more likely to not have health insurance coverage, and

WHEREAS, state and local partnerships are vital to promoting awareness of minority health issues, such as increasing screenings for breast, colon, and prostate cancers; raising awareness of sudden infant death syndrome; and establishing more HIV testing sites, and

WHEREAS, Phi Beta Sigma Fraternity, Inc., addresses improving men's health through Sigma Wellness, Living Well - Brother to Brother, and Zeta Phi Beta Sorority, Inc., strives to enhance community and women's health through Z-HOPE - Zetas Helping Other People Excel - and Zeta Health Justice initiatives, and

WHEREAS, Florida State Senator Al Lawson and Florida State Representative Betty Reed support the efforts of Phi Beta Sigma Fraternity, Inc., and Zeta Phi Beta Sorority, Inc., as sponsors of the organizations' social action initiatives addressing health disparities, NOW, THEREFORE,

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

That March 16, 2010, is recognized as "Florida Sigma Zeta Day" at the Capitol.

—**SR 1482** was introduced, read and adopted by publication.

### SPECIAL ORDER CALENDAR

**SCR 10**—A concurrent resolution urging Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States to provide for a balanced federal budget and limit the ability of Congress to dictate to states requirements for the expenditure of federal funds.

WHEREAS, fiscal discipline and economic integrity have been core principles of American governance, and

WHEREAS, the American people have historically demanded the same prudent, responsible, and intellectually honest financial behavior from their elected representatives as ultimately compels individual behavior, and

WHEREAS, it is the firm conviction of the Legislature of the State of Florida that it is wrong to fund the prosperity of the present generation by robbing future Americans of their own, and

WHEREAS, mortgaging the birthright of our children and grandchildren is a dangerous departure from traditional American values which threatens to permanently undermine the strength of our nation, and

WHEREAS, the national debt has nearly doubled over the past 8 years and Florida's share of that debt is \$727 billion, more than all Floridians make in wages and salaries in 2 years, and

WHEREAS, for the nation to pay off the entire federal debt by 2015, Congress would have to triple the federal income taxes of every American and devote the increase exclusively to debt payments, and

WHEREAS, our debt is increasingly owed to the governments of foreign nations, not to the citizens of the United States; therefore, our wealth is transferred to others and will not be available to supply the means for America's future growth and prosperity, and

WHEREAS, this generation will bequeath to its children one of the world's most indebted industrial democracies, and

WHEREAS, high federal deficits cause increasingly high payments for debt interest in the future, make future borrowing more costly, reduce investment activity, and thus reduce the size of the future economy, and

WHEREAS, the people of Florida recognized the wisdom of fiscal discipline and enshrined in its State Constitution the requirement for a balanced budget to place a prudent limit on the tendencies of government, and

WHEREAS, the Florida Legislature has made fiscally responsible decisions, maintaining a balanced budget and saving the citizens of this State from crippling deficits, massive debt burdens, and bankruptcy, and

WHEREAS, we the Legislature of the State of Florida call for the Constitution of the United States to be amended to require the Federal Government to operate with fiscal responsibility, common sense, and the revenues granted to it by the people, and

WHEREAS, the Federal Government has for too long relied on revenue increases and borrowing against our future rather than on prudent spending decisions within the limits of current revenues, and

WHEREAS, lasting resolution of this nation's budget deficit can be achieved only by addressing the spending habits of our Federal Government, not by increasing the tax burden under which our citizens already labor, and

WHEREAS, Article V of the Constitution of the United States makes provision for amending the Constitution on the application of the legislatures of two-thirds of the several states, calling a convention for proposing amendments that shall be valid to all intents and purposes if ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as one or the other mode of ratification may be proposed by Congress, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:*

That the Legislature of the State of Florida, with all due respect and great reluctance, does hereby make application to the Congress of the United States pursuant to Article V of the Constitution of the United States to call an Article V amendments convention for the sole purpose of proposing amendments to the Constitution of the United States:

(1) To achieve and maintain a balanced budget by:

(a) Requiring that such balanced budget account for all obligations of the Federal Government;

(b) Allowing flexibility in federal balanced budget requirements by providing exceptions related to exigencies such as national emergencies or threats to the nation's security;

(c) Imposing spending limits on the Federal Government;

(d) Setting extraordinary vote requirements for new or increased federal taxes and other revenues; and

(e) Prohibiting federal mandates on states to impose taxes or fees.

(2) To control the ability of the Congress and the various federal executive agencies to require states to expend funds by:

(a) Limiting the ability of Congress and the various federal executive agencies to pass legislation requiring states to spend money or to take actions requiring the expenditure of money unless federal funds are provided in ongoing amounts sufficient to offset the full costs of such requirements; and

(b) Limiting the ability of Congress to dictate to states requirements for the expenditure of federal funds other than such requirements as may be necessary to measure outcomes to be achieved through the expenditure of the federal funds, leaving to the several states the ability to decide how to best accomplish those outcomes.

BE IT FURTHER RESOLVED that this concurrent resolution supersedes all previous memorials applying to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States, including Senate Memorial 234 and House Memorial 2801, both passed in 1976, and superseded, revoked, and withdrawn in 1988 by Senate Memorial 302, and that such previous memorials are hereby revoked and withdrawn, nullified, and superseded to the same effect as if they had never been passed.

BE IT FURTHER RESOLVED that this concurrent resolution is revo-

BE IT FURTHER RESOLVED that a copy of this concurrent resolu-

—was read the second time in full. On motion by Senator Negron,

Yeas—28

Table with 3 columns: Name, Name, Name. Includes Mr. President, Alexander, Altman, Baker, Bennett, Constantine, Crist, Dean, Detert, Diaz de la Portilla, Dockery, Fasano, Gaetz, Garcia, Gardiner, Haridopolos, Jones, Justice, Lynn, Negron, Oelrich, Peaden, Richter, Ring, Storms, Thrasher, Villalobos, Wise.

Nays—12

Table with 3 columns: Name, Name, Name. Includes Aronberg, Bullard, Deutch, Gelber, Hill, Joyner, Lawson, Rich, Siplin, Smith, Sobel, Wilson.

MOTION

On motion by Senator Villalobos, the rules were waived and time of recess was extended until 3:45 p.m.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Villalobos, the rules were waived and the Policy and Steering Committee on Ways and Means was granted permission to meet from 4:00 p.m. until 5:15 p.m. in lieu of 3:45 p.m. until 5:15 p.m. as scheduled this day.

SPECIAL ORDER CALENDAR, continued

On motion by Senator Negron—

CS for SB 2742—A bill to be entitled An act relating to a nonbinding statewide advisory referendum; requiring that a question regarding a balanced federal budget be printed on the ballot and submitted to the voters in the 2010 general election; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, CS for SB 2742 was placed on the calendar of Bills on Third Reading.

On motion by Senator Sobel—

CS for SB 86—A bill to be entitled An act relating to excuse from jury service; amending s. 40.013, F.S.; expanding parental eligibility to be

excused from jury service; authorizing a presiding judge to excuse a practicing psychologist from jury service; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, CS for SB 86 was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

SB 166—A bill to be entitled An act relating to the use of prescribed pancreatic enzyme supplements; amending s. 1002.20, F.S.; authorizing certain K-12 students to use prescribed pancreatic enzyme supplements under certain circumstances; requiring the State Board of Education to adopt rules; providing for indemnification; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, SB 166 was placed on the calendar of Bills on Third Reading.

Consideration of SB 208 and CS for SB 436 was deferred.

On motion by Senator Altman—

CS for SB 530—A bill to be entitled An act relating to adoption; creating s. 63.0422, F.S.; prohibiting an adoption agency or entity from making suitability determinations based on, requiring disclosure relating to, or restricting the lawful possession, storage, or use of a firearm or ammunition; amending s. 409.175, F.S.; providing additional requirements for child-placing agencies; providing additional rulemaking requirements for the Department of Children and Family Services; creating additional grounds for denial, suspension, or revocation of a license; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Villalobos, the rules were waived and time of recess was extended until 3:50 p.m.

Pursuant to Rule 4.19, CS for SB 530 was placed on the calendar of Bills on Third Reading.

REPORTS OF COMMITTEES

The Policy and Steering Committee on Social Responsibility submits the following bills to be placed on the Special Order Calendar for Tuesday, March 16, 2010: SCR 10, CS for SB 2742, CS for SB 86, SB 166, SB 208, CS for SB 436, CS for SB 530.

Respectfully submitted, Don Gaetz, Chair

The Committee on Finance and Tax recommends the following pass: SB 126

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

The Committee on Finance and Tax recommends a committee substitute for the following: SB 2126

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2044

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

The Committee on Finance and Tax recommends a committee substitute for the following: CS for SB 690

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committees on Finance and Tax; and Community Affairs; and Senators Dean and Gaetz—

**CS for CS for SB 690**—A bill to be entitled An act relating to local government accountability; amending s. 11.40, F.S., relating to the Legislative Auditing Committee; clarifying when the Department of Community Affairs may institute procedures for declaring that a special district is inactive; amending s. 30.49, F.S.; specifying the level of detail required for each fund in the sheriff's proposed budget; revising the categories for expenditures; amending s. 112.63, F.S., relating to the review of the actuarial reports and statements of retirement plans of governmental entities by the Department of Management Services; providing that the failure of a special district to make appropriate adjustments or provide additional information authorizes the department to seek a writ of certiorari; amending s. 129.01, F.S.; revising provisions relating to the preparation of county budgets; specifying the level of detail required for each fund in the budget; amending s. 129.02, F.S.; revising provisions relating to the preparation of special district budgets; specifying the level of detail required for each fund in the budget; amending s. 129.021, F.S.; conforming cross-references; amending s. 129.03, F.S.; deleting a time restriction on preparing and presenting a tentative county budget; requiring tentative county budgets to be posted on the county's website; amending s. 129.06, F.S.; revising provisions relating to the execution and amendment of county budgets; requiring revised budgets to be posted on the county's website; amending s. 129.07, F.S.; revising provisions relating to the prohibition against exceeding the county budget; amending s. 129.201, F.S.; conforming and revising provisions relating to the budget of the supervisor of elections; specifying the level of detail required for each fund in the proposed budget; revising expenditure categories; amending s. 166.241, F.S.; revising provisions relating to the preparation or amendment of municipal budgets; specifying the level of detail for each fund in the budget; requiring such budgets and amendment to such budgets to be posted on the website of the municipality or related county; amending s. 189.4044, F.S.; adding failure to file a registered office or agent with the department for 1 or more years as a criteria for declaring a special district inactive; amending s. 189.412, F.S.; adding the Legislative Auditing Committee to the list of entities that obtain special district noncompliance status reports; amending s. 189.418, F.S.; revising provisions relating to the preparation or amendment of special district budgets; specifying the level of detail for each fund in the budget; requiring such budgets to be posted on the website of the special district or related local general-purpose government or governing authority; requiring special districts to comply with certain reporting requirements; authorizing a local governing authority to request certain financial information from special districts located solely within the boundaries of the authority; requiring special districts to cooperate with such requests; amending s. 189.419, F.S.; revising procedures relating to a special district's failure to file certain reports or information; amending s. 189.421, F.S.; revising procedures relating to the failure of a special district to disclose financial reports; authorizing the Department of Community Affairs to seek a writ of certiorari; amending s. 195.087, F.S.; requiring the final approved budget of the property appraiser and tax collector to be posted on the county's website; amending s. 218.32, F.S.; revising the schedule for

submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services; requiring the department to notify the Special District Information Program if it does not receive a financial report from a local government entity; requiring a local governmental entity to provide a link to the entity's financial report on the department's website; amending s. 218.35, F.S.; requiring the budget for certain county-related duties to be itemized in accordance with the uniform accounting system of the Department of Financial Services; specifying the level of detail for each fund in the clerk of the court's budget; requiring the court clerk's approved budget to be posted on the county's website; amending s. 218.39, F.S.; revising the timeframe for completing a local governmental entity's annual financial audit; requiring that an auditor prepare an audit report; requiring that such report be filed with the Auditor General within a specified time; requiring that the Auditor General notify the Legislative Auditing Committee of any audit report indicating that an audited entity has failed to take corrective action; requiring that the chair of a local governmental entity appear before the committee under certain circumstances; amending s. 218.503, F.S.; revising provisions relating to oversight by the Governor when an entity's financial statements show it cannot cover a deficit of funds; amending s. 373.536, F.S.; requiring that water management district budgets be posted on the district website; amending s. 1011.03, F.S.; requiring the summary of the tentative budget, the tentative budget, and the budget of a district school board to be posted on the website of the district or related county; amending s. 1011.051, F.S.; revising provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund; amending s. 1011.64, F.S.; revising obsolete accounting terminology; providing an effective date.

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

**CS for SB 2044**—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; delaying the repeal of a provision exempting medical malpractice insurance premiums from emergency assessments to the Hurricane Catastrophe Fund; delaying the date on and after which medical malpractice insurance premiums become subject to emergency assessments; amending s. 624.408, F.S.; revising the minimum surplus as to policyholders which must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 626.9744, F.S.; requiring insurers to use retail cost quotations or estimates based on current market prices in determining repair or replacement cost estimates; amending s. 627.0613, F.S.; requiring the office of the consumer advocate to objectively grade insurers annually based on the number of valid consumer complaints and other measurable and objective factors; defining the term "valid consumer complaint"; amending s. 627.062, F.S.; requiring that the office issue an approval rather than a notice of intent to approve following its approval of a file and use filing; prohibiting the Office of Insurance Regulation from, directly or indirectly, prohibiting an insurer from paying acquisition costs based on the full amount of the premium; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; authorizing an insurer to make a rate filing limited to changes in the cost of reinsurance, the cost of financing products used as a replacement for reinsurance, or changes in an inflation trend factor published annually by the Office of Insurance Regulation; providing that an insurer may use this provision only if the increase from such filing and any other rate filing does not exceed 10 percent for any policyholder in a policy year; deleting provisions relating to a rate filing for financing products relating to the Temporary Increase in Coverage Limits; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; specifying the information that an insurer must include in a rate filing based on the change in an inflation trend factor published by the Office of Insurance Regulation; requiring that the office annually publish one or more inflation trend factors; exempting the inflation trend factors from rulemaking; providing that an insurer is not

required to adopt an inflation trend factor; requiring the Office of Insurance Regulation to propose a plan for developing a website, contingent upon an appropriation, which provides consumers with information necessary to make an informed decision when purchasing homeowners' insurance; requiring that the Financial Services Commission review the proposed plan to implement the website; specifying matters that the Office of Insurance Regulation must consider in developing the website; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; amending s. 627.0629, F.S.; providing legislative intent that insurers provide consumers with accurate pricing signals for alterations in order to minimize losses, but that mitigation discounts not result in a loss of income for the insurer; requiring rate filings for residential property insurance to include actuarially reasonable debits that provide proper pricing; providing for an increase in base rates if mitigation discounts exceed the aggregate reduction in expected losses; requiring the Office of Insurance Regulation to reevaluate discounts, debits, credits, and other rate differentials by a certain date; requiring the Office of Insurance Regulation, in consultation with the Department of Financial Services and the Department of Community Affairs, to develop a method for insurers to establish debits for certain hurricane mitigation measures by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; amending s. 627.4133, F.S.; authorizing an insurer to cancel policies after 45 days' notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; amending s. 627.7011, F.S.; authorizing an insurer to pay the actual cash value for certain losses, but requiring the insurer to pay the reservation or holdback when the insured executes a contract to replace or repair a dwelling or property or provides a receipt to replace personal property; amending s. 627.7015, F.S.; requiring the Department of Financial Services to prepare a statement or information by rule which must be included in a notice by an insurer informing claimants of the right to participate in a mediation program; specifying documentation that an insurer and insured must provide to a mediator in a dispute over an estimate to repair or replace property; requiring the Department of Financial Services to adopt rules specifying the type of documentation that must be submitted during a mediation; defining the term "claim dispute" as it relates to disputes between an insurer and insured; amending s. 631.011, F.S.; redefining the term "affiliate" to include certain entities that retail, broker, administer, or underwrite insurance policies on behalf of an insurer; amending s. 631.021, F.S.; providing that the Circuit Court of Leon County is the venue for certain actions collateral to a delinquency proceeding involving an insurer; providing that the Circuit Court of Leon County has exclusive jurisdiction to identify funds, assets, and property belonging to certain entities placed under receivership; amending s. 631.025, F.S.; specifying the persons over which the court in a delinquency proceeding has exclusive jurisdiction; providing an effective date.

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By the Committee on Finance and Tax; and Senators Negron, Altman, Storms, Peaden, Oelrich, Lawson, Gaetz, Lynn, Fasano, Siplin, Baker, Gardiner, Bennett, Thrasher, Wise, Haridopolos, Alexander, Crist, and Richter—

**CS for SB 2126**—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; transferring, renumbering, and amending s. 220.187, F.S.; revising definitions; making operation of the program contingent upon available funds; revising certain eligibility criteria; revising tax credit grant provisions; specifying a tax credit cap; providing for increasing the tax credit cap under certain circumstances; providing application procedures and requirements; providing for unused amounts of tax credits to be carried forward; providing application requirements; providing limitations on conveying, assigning, or transferring tax credits; revising provisions governing the rescission of taxpayer tax credits; deleting a prohibition against claiming certain multiple tax credits; specifying additional obligations for eligible nonprofit scholarship-funding organizations relating to development and review of

certain accounting procedures and guidelines; providing reporting requirements; limiting private school participation eligibility to certain grades; requiring private schools to annually contract with accountants to perform certain procedures; providing reporting and procedural requirements; revising certain obligations of the Department of Education; specifying additional requirements for certain independent research organizations; providing responsibilities of the Department of Education; deleting certain requirements for independent research organizations; authorizing the Commissioner of Education to deny, suspend, or revoke private school program participation under certain circumstances; providing requirements and criteria; revising limitations on annual amounts of scholarships provided; deleting certain corporate tax credit carryforward authority; revising certain rulemaking authority; providing for severability and for preserving certain additional tax credits; creating s. 211.0251, F.S.; providing for a credit against the oil and gas production tax for certain program contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; creating s. 212.1831, F.S.; providing for a credit against sales and use tax for certain program contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; amending s. 213.053, F.S.; expanding the authority of the Department of Revenue to disclose certain information; amending s. 220.13, F.S.; revising the determination of additions to adjusted federal income; providing intent; providing for construction of certain provisions; providing for retroactive application; creating s. 220.1875, F.S.; providing for a credit against the corporate income tax for certain program contributions; providing limitations; providing for adjustments; providing for application; creating s. 561.1211, F.S.; providing for a credit against certain alcoholic beverage taxes for certain contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; amending ss. 220.02, 220.186, 624.51055, 1001.10, 1002.20, 1002.23, 1002.39, 1002.421, 1006.061, 1012.315, and 1012.796, F.S.; conforming cross-references to changes made by the act; providing effective dates.

## REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Health Regulation; and Senator Ring—

**CS for SB 214**—A bill to be entitled An act relating to autism; creating s. 381.986, F.S.; requiring that a physician refer a minor to an appropriate specialist for screening for autism spectrum disorder under certain circumstances; defining the term "appropriate specialist"; amending ss. 627.6686 and 641.31098, F.S.; defining the terms "developmental disability" and "direct patient access"; providing health insurance coverage for individuals with certain developmental disabilities; requiring certain insurers and health maintenance organizations to provide direct patient access to an appropriate specialist for screening, evaluation of, or diagnosis for autism spectrum disorder or other developmental disabilities; requiring the insurer's policy or the health maintenance organization's contract to provide a minimum number of visits per year for the screening, evaluation, or diagnosis for autism spectrum disorder or other developmental disabilities; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Governmental Oversight and Accountability; and the Policy and Steering Committee on Ways and Means.

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

**CS for CS for SB 532**—A bill to be entitled An act relating to food service inspections of domestic violence centers and group care facilities; amending s. 381.006, F.S.; including the investigation of food service programs for domestic violence centers and group care facilities within the Department of Health's environmental health program; amending s. 381.0072, F.S.; revising the definition of the term "food service establishment" to exclude domestic violence centers under certain conditions; providing an effective date.

—was placed on the Calendar.

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

**CS for SB 694**—A bill to be entitled An act relating to child support; amending s. 61.13, F.S.; deleting a reference to health insurance in the process to determine share of a medical support only obligation; requiring that an obligor may make child support payments directly to the obligee under certain circumstances; clarifying when income deduction payments are required to be paid to the State Disbursement Unit; amending s. 61.30, F.S.; authorizing the Department of Revenue to submit to the court a written declaration signed under penalty of perjury for the purpose of establishing an obligation for child support; amending s. 382.015, F.S.; requiring the Office of Vital Statistics in the Department of Health to prepare and file a new birth certificate to include the name of the legal father when a final judgment of dissolution of marriage requires the former husband to pay child support for the child; amending s. 382.016, F.S.; requiring the Office of Vital Statistics to amend a child's birth certificate to include the name of the legal father upon receipt of a marriage license that identifies the child as a child of the marriage; amending s. 409.2558, F.S.; requiring the Department of Revenue to process collected funds that are determined to be undistributable in a specified manner; requiring the department to retain as program income de minimis child support collections under \$1; amending s. 409.256, F.S.; changing the term "custodian" to "caregiver" and defining the role of the caregiver; amending s. 409.2563, F.S.; replacing "caretaker relative" with "caregiver" and defining the term; requiring the notice of proceeding to establish an administrative support order to inform parents that the Department of Revenue may refer the child support proceeding to the Division of Administrative Hearings for determination of the support obligation; authorizing the Department of Revenue to refer a proceeding to the Division of Administrative Hearings for an evidentiary hearing to determine the support obligation; replacing "hearing request" with "proceeding"; amending s. 409.25635, F.S.; authorizing the Department of Revenue to collect noncovered medical expenses in installments by issuing an income deduction notice; amending s. 409.2564, F.S.; removing a provision that encouraged parties to enter into a settlement agreement; requiring the department to review child support orders in IV-D cases at least once every 3 years; requiring the department to file a petition to modify the support if the review of support orders indicates the order should be modified; amending s. 409.2567, F.S.; authorizing the Department of Revenue to seek a specified waiver from the United States Department of Health and Human Services if the estimated increase in federal funding to the state derived from the waiver would exceed any additional cost to the state; amending s. 409.259, F.S.; extending the deadline for implementing electronic filing of pleadings and other documents with the clerks of court in Title IV-D cases until completion of the Child Support Automated Management System II; amending s. 409.910, F.S.; requiring the Agency for Health Care Administration to obtain health insurance information from insurers and provide it to the Department of Revenue for use in Title IV-D child support cases; requiring both agencies to enter into a cooperative agreement to implement the requirement; amending s. 414.095, F.S.; conforming a provision to a change made by the act; amending s. 741.01, F.S.; requiring an application for a marriage license to allow both parties to the marriage to state under oath in writing if they are the parents of a child born in this state and to identify any such child they have in common; reenacting ss. 61.14(1)(c) and 61.30(1)(c), F.S., relating to the enforcement and modification of support, maintenance, or alimony agreements or orders and the child support guidelines, respectively, to incorporate the amendments made to s. 409.2564, F.S., in references thereto; providing effective dates.

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

By the Committee on Health Regulation; and Senator Gaetz—

**CS for SB 752**—A bill to be entitled An act relating to health care fraud; amending s. 400.471, F.S.; prohibiting the Agency for Health Care Administration from issuing an initial license to a home health agency

for the purpose of opening a new home health agency under certain conditions until a specified date; prohibiting the agency from issuing a change-of-ownership license to a home health agency under certain conditions until a specified date; providing an exception; amending s. 400.474, F.S.; authorizing the agency to revoke a home health agency license if the applicant or any controlling interest has been sanctioned for acts specified under s. 400.471(10), F.S.; amending s. 408.815, F.S.; revising the grounds upon which the agency may deny or revoke an application for an initial license, a change-of-ownership license, or a licensure renewal for certain health care entities listed in s. 408.802, F.S.; amending s. 409.907, F.S.; extending the number of years that Medicaid providers must retain Medicaid recipient records; adding additional requirements to the Medicaid provider agreement; revising applicability of screening requirements; revising conditions under which the agency is authorized to deny a Medicaid provider application; amending s. 409.912, F.S.; revising requirements for Medicaid prepaid, fixed-sum, and managed care contracts; repealing s. 409.9122(13), F.S., relating to the enrollee assignment process of Medicaid managed prepaid health plans for those Medicaid managed prepaid health plans operating in Miami-Dade County; amending s. 409.913, F.S.; removing a required element from the joint Medicaid fraud and abuse report submitted by the agency and the Medicaid Fraud Control Unit of the Department of Legal Affairs; extending the number of years that Medicaid providers must retain Medicaid recipient records; authorizing the Medicaid program integrity staff to immediately suspend or terminate a Medicaid provider for engaging in specified conduct; removing a requirement for the agency to hold suspended Medicaid payments in a separate account; authorizing the agency to deny payment or require repayment to Medicaid providers convicted of certain crimes; authorizing the agency to terminate a Medicaid provider if the provider fails to reimburse a fine determined by a final order; authorizing the agency to withhold Medicaid reimbursement to a Medicaid provider that fails to pay a fine determined by a final order, fails to enter into a repayment plan, or fails to comply with a repayment plan or settlement agreement; amending s. 409.9203, F.S.; providing that certain state employees are ineligible from receiving a reward for reporting Medicaid fraud; amending s. 456.001, F.S.; defining the term "affiliate" or "affiliated person" as it relates to health professions and occupations; amending s. 456.041, F.S.; requiring the Department of Health to include administrative complaint, arrest, and any conviction information relating to the practitioner's profile; providing a disclaimer; amending s. 456.0635, F.S.; revising the grounds under which the Department of Health or corresponding board is required to refuse to admit a candidate to an examination and refuse to issue or renew a license, certificate, or registration of a health care practitioner; amending s. 456.072, F.S.; clarifying a ground under which disciplinary actions may be taken; amending s. 456.073, F.S.; revising applicability of investigations and administrative complaints to include Medicaid fraud; amending s. 456.074, F.S.; authorizing the Department of Health to issue an emergency order suspending the license of any person licensed under ch. 456, F.S., who engages in specified criminal conduct; providing an effective date.

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

By the Committee on Ethics and Elections; and Senators Alexander and Haridopolos—

**CS for SB 880**—A bill to be entitled An act relating to campaign financing; amending s. 103.081, F.S.; permitting the use of a political party's name, abbreviation, or symbol by an affiliated party committee under certain circumstances; creating s. 103.092, F.S.; providing for the establishment of affiliated party committees; providing a definition; delineating duties and responsibilities of such committees; amending s. 103.121, F.S.; requiring certain assessments to be paid to an affiliated party committee; amending s. 106.011, F.S.; revising the definition of the term "political committee" to remove certain reporting requirements included in the exclusion of electioneering communications organizations from the definition and to allow contributions to an affiliated party committee; adding an affiliated party committee to the list of entities not considered a political committee under ch. 106, F.S.; revising the definition of the term "independent expenditure" to specify that certain expenditures are not considered an independent expenditure; revising the

definition of the term “person” to include an affiliated party committee; revising the definition of the term “filing officer” to expand applicability to electioneering communications organizations; revising the definition of the term “electioneering communication” to conform to certain federal requirements and to delineate what constitutes such a communication; revising the definition of the term “electioneering communications organization”; amending s. 106.021, F.S.; providing that certain expenditures by an affiliated party committee are not considered a contribution or expenditure to or for a candidate; amending s. 106.025, F.S.; exempting an affiliated party committee from certain campaign fund raising requirements; amending s. 106.03, F.S.; revising the registration requirements for electioneering communications organizations; revising the statement of organization requirements; revising rule adoption requirements relating to dissolution of political committees and electioneering communications organizations; amending s. 106.04, F.S.; requiring that a committee of continuous existence report receipts from and transfers to an affiliated party committee; amending s. 106.0701, F.S.; exempting an affiliated party committee from certain filing requirements; amending s. 106.0703, F.S.; consolidating reporting requirements in ch. 106, F.S., applicable to electioneering communications organizations; providing penalties; conforming provisions; amending s. 106.0705, F.S., relating to electronic filing of campaign treasurer’s reports; conforming provisions; requiring an affiliated party committee to file certain reports with the Division of Elections; providing that a report filed by the leader and treasurer of an affiliated party committee is considered to be under oath; amending s. 106.071, F.S.; increasing the aggregate amount of expenditures required for filing certain reports related to independent expenditures or electioneering communications; amending s. 106.08, F.S.; removing certain limitations on contributions received by an electioneering communications organization; providing that an affiliated party committee is treated like a political party regarding limitations on contributions; deleting the 28-day restriction on acceptance of certain funds preceding a general election; placing certain restrictions on solicitation for and making of contributions; providing guidelines for acceptance of in-kind contributions; adding an affiliated party committee to entities subject to penalties; creating s. 106.088, F.S.; requiring the subscribing to an oath or affirmation prior to receipt of certain funds; providing the form of the oath; providing penalties; providing that undistributed funds shall be deposited into the General Revenue Fund; amending s. 106.141, F.S.; adding affiliated party committees to the list of entities to which a candidate may donate surplus funds; amending s. 106.143, F.S.; requiring an affiliated party committee, like a political party, to obtain advance approval by a candidate for political advertisements; amending s. 106.1439, F.S.; providing identification requirements for certain electioneering communications; providing an exception for telephone calls; amending s. 106.147, F.S., relating to telephone solicitation disclosure requirements; removing requirements relating to electioneering communication, to conform; revising the definition of the term “person” to include an affiliated party committee; providing penalties; amending s. 106.165, F.S.; adding affiliated party committees to the entities that must use closed captioning and descriptive narrative in all television broadcasts; amending s. 106.17, F.S.; adding affiliated party committees to those entities authorized to conduct polls and surveys relating to candidacies; amending s. 106.23, F.S.; providing that an affiliated party committee shall be provided an advisory opinion by the Division of Elections when requested; amending s. 106.265, F.S.; authorizing the imposition of civil penalties by the Florida Elections Commission for certain violations by an affiliated party committee; amending s. 106.27, F.S.; adding affiliated party committees to those entities subject to certain determinations and legal disposition by the Florida Elections Commission; amending s. 106.29, F.S.; requiring filing of certain reports by an affiliated party committee; providing restrictions on certain expenditures and contributions; providing penalties; amending s. 11.045, F.S., relating to lobbying before the Legislature; excluding contributions and expenditures by an affiliated party committee from the definition of the term “expenditure”; amending s. 112.312, F.S.; providing that certain activities pertaining to an affiliated party committee are excluded from the definition of the term “gift”; amending s. 112.3215, F.S., relating to lobbying before the executive branch or the Constitution Revision Commission; excluding contributions and expenditures by an affiliated party committee from the definition of the term “expenditure”; re-enacting ss. 106.011(1)(b), (3), (4), (18), and (19), 106.022(1), 106.03(1)(b),

106.04(5), 106.0703, 106.0705(2)(b), 106.071(1), 106.08(7), 106.1437, 106.1439, and 106.17, F.S., relating to definitions, registered office and agent requirements, registration requirements, prohibited activities for committees of continuous existence, additional reporting requirements, electronic filing requirements, expenditure reports, penalties for violations pertaining to limitations on contributions, miscellaneous advertisements, electioneering communications disclaimers and penalties for failure to include disclaimers, and polls and surveys pertaining to candidacies, to cure and conform; providing an effective date.

—was placed on the Calendar.

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

**CS for SB 1520**—A bill to be entitled An act relating to background screening; amending s. 39.821, F.S.; revising background screening requirements for the Guardian Ad Litem Program; amending s. 215.5586, F.S.; removing reference to ch. 435, F.S., for background screening of hurricane mitigation inspectors; amending s. 393.0655, F.S.; adding additional disqualifying offenses for the screening of direct service providers for persons with developmental disabilities; amending s. 394.4572, F.S.; revising background screening requirements for mental health personnel; amending s. 400.215, F.S.; revising background screening requirements for nursing home personnel; amending s. 400.506, F.S.; conforming provisions to changes made by the act; amending s. 400.512, F.S.; revising background screening requirements for home health agency personnel, nurse registry personnel, and companions and homemakers; amending s. 400.6065, F.S.; revising background screening requirements for hospice personnel; amending s. 400.801, F.S.; revising background screening requirements for personnel at homes for special services; amending s. 400.805, F.S.; revising background screening requirements for transitional living facility personnel; creating s. 400.9065, F.S.; providing background screening requirements for prescribed pediatric extended care center personnel; amending s. 400.934, F.S.; revising minimum standards for home medical equipment providers; amending s. 400.953, F.S.; revising background screening requirements for home medical equipment provider personnel; repealing s. 400.955, F.S., relating to the procedures for screening of home medical equipment provider personnel; amending s. 400.964, F.S.; revising background screening requirements for personnel at intermediate care facilities for developmentally disabled persons; amending s. 400.980, F.S.; revising background screening requirements for personnel at health care services pools; amending s. 400.991, F.S.; revising background screening requirements for applicants and personnel at health care clinics; amending s. 408.806, F.S.; adding a requirement for an affidavit relating to background screening to the license application process under the Agency for Health Care Administration; amending s. 408.808, F.S.; conforming provisions to changes made by the act; amending s. 408.809, F.S.; revising background screening requirements under the Agency for Health Care Administration; requiring electronic submission of fingerprints; amending s. 409.175, F.S.; revising background screening requirements for employees and volunteers in summer day camps and summer 24-hour camps; requiring drug testing for prospective and current foster parents; amending s. 409.221, F.S.; revising background screening requirements for persons who render consumer-directed care; amending s. 409.907, F.S.; revising background screening requirements for Medicaid providers; amending s. 429.14, F.S.; revising administrative penalty provisions relating to assisted living facilities; amending s. 429.174, F.S.; revising background screening requirements for assisted living facility personnel; amending s. 429.67, F.S.; revising licensure requirements for adult family-care home personnel and household members; amending s. 429.69, F.S.; revising background screening requirements for adult family-care home personnel; amending s. 429.911, F.S.; revising administrative penalty provisions relating to adult day care centers; amending s. 429.919, F.S.; revising background screening requirements for adult day care center personnel; creating s. 430.60, F.S.; providing background screening requirements for direct service providers under the Department of Elderly Affairs; amending s. 435.01, F.S.; revising provisions related to the applicability of ch. 435, F.S., statutory references to the chapter, and rulemaking; providing construction with respect to the doctrine of incorporation by reference; amending s. 435.02, F.S.; revising and adding definitions; amending s.

435.03, F.S.; revising level 1 screening standards; adding disqualifying offenses; amending s. 435.04, F.S.; revising level 2 screening standards; requiring electronic submission of fingerprints after a certain date; authorizing agencies to contract for electronic fingerprinting; adding disqualifying offenses; amending s. 435.05, F.S.; revising background check requirements for covered employees and employers; amending s. 435.06, F.S.; revising provisions relating to exclusion from employment; providing that an employer may not hire, select, or otherwise allow an employee contact with any vulnerable person until the screening process is completed; requiring removal of an employee arrested for disqualifying offenses from roles requiring background screening until the employee's eligibility for employment is determined; amending s. 435.07, F.S.; revising provisions relating to exemptions from disqualification; amending s. 435.08, F.S.; revising provisions relating to the payment for processing of fingerprints and criminal history records checks; amending s. 464.203, F.S.; conforming provisions to changes made by the act; amending s. 489.115, F.S.; removing reference to ch. 435, F.S., for background screening of construction contractors; amending s. 943.05, F.S.; revising provisions relating to the Criminal Justice Information Program under the Department of Law Enforcement; authorizing agencies to request the retention of certain fingerprints by the department; providing for rulemaking to require employers to keep the agencies informed of any change in the affiliation, employment, or contractual status of each person whose fingerprints are retained in certain circumstances; providing departmental duties upon notification that a federal fingerprint retention program is in effect; amending s. 943.053, F.S.; removing obsolete references relating to the dissemination of criminal justice information; amending s. 985.644, F.S.; revising background screening requirements for the Department of Juvenile Justice; authorizing rulemaking; amending ss. 381.60225, 409.912, 464.018, 468.3101, 744.309, 744.474, and 985.04, F.S.; conforming provisions to changes made to ch. 435, F.S., by the act; repealing s. 409.1758, F.S., relating to screening of summer camp personnel; repealing s. 456.039(4)(d), F.S., relating to information required for licensure of designated health care professionals; providing for prospective application of the act; providing an effective date.

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

By the Committee on Agriculture; and Senator Alexander—

**CS for SB 2182**—A bill to be entitled An act relating to agriculture; amending s. 193.461, F.S.; clarifying that land that is classified as agricultural retains that classification when offered for sale; providing for retroactivity; amending s. 369.20, F.S.; authorizing the Fish and Wildlife Conservation Commission to enter into an agreement with the Department of Environmental Protection relating to the uniform application of pesticides to the waters of the state; revising exemptions from water pollution permits; amending s. 403.088, F.S.; providing permits for applying pesticides to the waters of the state; requiring the Department of Environmental Protection to enter into agreements with the Department of Agriculture and Consumer Services and the Fish and Wildlife Conservation Commission relating to the uniform application of pesticides to the waters of the state; exempting certain pesticides from acute toxicity provisions provided by rule; amending s. 487.163, F.S.; requiring the Department of Agriculture and Consumer Services to enter into an agreement with the Department of Environmental Protection relating to the uniform application of pesticides to the waters of the state; amending s. 573.112, F.S.; providing that the Citrus Research and Development Foundation shall provide advice to the Department of Agriculture and Consumer Services with respect to citrus research marketing orders; amending s. 573.118, F.S.; providing for the deposit of certain agricultural assessments; revising the assessment rate on citrus fruit; amending s. 581.031, F.S.; expanding the type of research projects which may be conducted by the department; providing an effective date.

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

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

**CS for SB 2186**—A bill to be entitled An act relating to the State Board of Administration; amending s. 121.4501, F.S.; requiring that certain investment products and approved providers conform with the Public Employee Optional Retirement Program Investment Policy Statement as approved by the executive director of the board and approved by the Investment Advisory Council; requiring that such statement be presented to the council for approval; amending s. 215.44, F.S.; requiring that the board establish and maintain the salaries of its officers and employees in a manner consistent with its fiduciary duties; requiring that the council initiate an investigation at specified intervals for specified purposes; requiring that the council present the results of such study to the board; authorizing the board to delegate certain authority and duties to the executive director; requiring that the board create an audit committee for specified purposes; providing for membership on the committee and term limits of committee members; providing purposes and duties of the committee; requiring that the board produce certain financial statements on an annual basis and report the information contained in such statements to the Legislature; requiring that such statements be audited by an independent third-party firm working under the direction of the audit committee; amending s. 215.441, F.S.; requiring that the board appoint an executive director; providing duties of the executive director; providing requirements for appointment as executive director; removing a requirement that the Governor vote in favor of the selection of the executive director; providing for the determination of the executive director's compensation; providing for the creation, operation, and membership of a search committee for the purpose of selecting the executive director; amending s. 215.442, F.S.; requiring that the executive director present certain information quarterly to the Investment Advisory Council; amending s. 215.444, F.S.; requiring that the council meet with the board's staff at specified intervals and provide a quarterly report to the board's trustees; clarifying the function of council members; expanding prerequisites for membership on the council to include knowledge of and experience with institutional investments and fiduciary responsibilities; providing that a council member is an officer, employee, or agent of the state for specified purposes; requiring that appointees to the council undergo specified training; requiring that council members make recommendations consistent with fiduciary responsibilities applicable to the board; specifying duties of the council; authorizing the council to create subcommittees and direct the executive director to enter into certain contracts; amending s. 215.475, F.S.; conforming provisions to changes made by the act; creating s. 215.4754, F.S.; providing intent; requiring that the contract for an investment adviser or manager include a standard of conduct; providing for termination of the contract of an adviser or manager who violates the standard of conduct; prohibiting a member of the Investment Advisory Council from contracting with or providing services for the investment of certain funds during his or her service on the board and for a specified period thereafter; creating s. 215.4755, F.S.; requiring that an investment adviser or manager annually certify to the board certain activities regarding investment decisions and standards of behavior; requiring that certain disclosures be made at the request of the board regarding pecuniary interests of an investment adviser or manager; amending s. 215.52, F.S.; authorizing the board to implement certain policies, restrictions, or guidelines; providing an effective date.

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

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### RETURNING MESSAGES — FINAL ACTION

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed SB 1780, SB 1782 and SB 1784.

*Robert L. "Bob" Ward, Clerk*

The bills contained in the foregoing messages were ordered enrolled.

**COMMITTEE APPOINTMENTS**

The President appointed Senator Diaz de la Portilla to the Policy and Steering Committee on Ways and Means.

**CORRECTION AND APPROVAL OF JOURNAL**

The Journals of March 3 and March 11 were corrected and approved.

**CO-INTRODUCERS**

Senators Alexander—SR 2780; Altman—SR 2780; Aronberg—SB 1672, SR 2780; Atwater—SR 2780; Baker—CS for SB 4, CS for SB 6, CS for SB 2742; Bennett—SR 2780; Bullard—CS for SB 436, CS for SB 688, SB 734, CS for SB 788, SB 1004, SB 1076, SB 1114, SB 1458, SB 1708, SB 2018, SM 2254, SR 2780; Constantine—SR 2780; Crist—SR 2780; Dean—SB 202, SB 1956, SR 2748, SR 2780; Detert—SB 12, CS for SB 1284, SR 2780; Deutch—SR 2780; Diaz de la Portilla—SR 2780; Dockery—SR 2780; Fasano—CS for SB 1284, SR 2780; Gaetz—SR 2780; Garcia—SR 2780; Gardiner—SB 1474, SR 2780; Gelber—SB 230, CS for SB 1332, SB 2252, SB 2272, SB 2722, SR 2780; Haridopolos—CS for SB 712, CS for SB 880, SB 1474, SR 2780; Hill—SB 12, SB 1752, SR 2780; Jones—SB 602, SJR 952, SR 2780; Joyner—CS for SB 1332, SR 2780;

Justice—SB 12, SR 2780; Lawson—SR 2780; Lynn—CS for SB 1332, SR 2780; Negron—SB 12, SR 2780; Oelrich—SR 2780; Peaden—SR 2780; Rich—SR 2780; Richter—SR 2780; Ring—SR 2780; Siplin—SR 2780; Smith—SR 2780; Sobel—SB 302, SB 1752, SR 2780; Storms—SR 2780; Thrasher—SR 2780; Villalobos—SB 154, SB 734, SB 1076, SB 1458, SB 1554, SR 2780; Wilson—SR 2780; Wise—SR 2780

**RECESS**

On motion by Senator Villalobos, the Senate recessed at 3:45 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, March 18 or upon call of the President.

**SENATE PAGES**

March 15-19, 2010

Olivia Marie Butler, Tampa; Trishuna Davis, Miami; Austin Ellert, Naples; Austin Gelin, Tallahassee; Langdon A.D. Lile, Naples; Jenni Lynn Mast, Palatka; Blake Howard, Tallahassee; Elizabeth Montgomery, Lutz; Michael J. Perry, Howey-in-the-Hills; Taylor K. Vaughn, Tallahassee