



# Journal of the Senate

Number 8—Regular Session

Wednesday, March 24, 2010

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## CALL TO ORDER

The Senate was called to order by President Atwater at 8:15 a.m. A quorum present—38:

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Altman	Gaetz	Richter
Aronberg	Garcia	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	

Excused: Senators Gardiner and Rich; Senator Bullard at 6:00 p.m.

## PRAYER

The following prayer was offered by Pastor James Vaughn, New Covenant Community Church, McDonough, Georgia:

“God of our weary years, God of our silent tears....

Stony the road we trod, bitter the chastening rod....”

Sovereign God of all humanity and of all nations, we pause for a moment in this sacred space to petition you on behalf of the men and women who serve the citizens of Florida in this august legislative body. We are more than cognizant that these are the times that try our souls. Empower these servants with a vision to see far into the issues of their time. Engross them with courage to uphold what they believe is right. Engulf their motives with pure and pristine integrity.

Heavenly Father, remind these latter-day servants that human progress is not automatic and that social progress has never rolled in on the wheels of inevitability. Remind them that every step towards the goal of justice, fairness, and equity will require of them some sacrificing, suffering, and struggling of the hand, the head, and the heart. O Source of All Being, call to these servants’ remembrance that without persistent

prodding, time will become an ally of the insurgent, and the primitive forces of irrational emotionalism and social destruction will waive the rules and refocus the agenda.

O God of sanctifying mercy and prevenient grace, clothe the persona of these servants with a temperate tone, a pleasing personality, and a sweet charity of words; and when the political landscape becomes perplexing, give them your ubiquitous utterances that will keep them patient, practical, and prophetic when necessary.

O God our help in ages past, I beg you to shower these legislative lions and lionesses with “mountain-moving faith, mountain-climbing strength, and mountain-claiming wisdom” to do all that they can to let justice roll down like rivers and righteousness as a mighty stream.

O God of healing and hope, as we serve you with all of our mind, our might, and our manners, forever keep us reminded of the words of Abraham, Isaac, and Jacob: *Shema Yisrael Adonai Eloheinu Adonai Echad*. Shalom.

## PLEDGE

Senate Pages Megan Elizabeth McKinley of Tallahassee; Austin Benacquisto of Wellington; and Kaitlyn McCoy of Winter Park, led the Senate in the pledge of allegiance to the flag of the United States of America.

## ADOPTION OF RESOLUTIONS

At the request of Senator Joyner—

By Senators Joyner and Wilson—

**SR 80**—A resolution commending The Links, Incorporated, for its work in Florida.

WHEREAS, The Links, Incorporated, is a highly respected international organization consisting of more than 12,000 professional, accomplished, dedicated women of African ancestry in 273 chapters, located in 42 states, the District of Columbia, and the Commonwealth of the Bahamas with a mission and purpose of friendship and community service, and

WHEREAS, members of The Links are role models, mentors, activists, and volunteers who work toward purposeful public service with educational, cultural, and civic commitments through four functional facets — International Trends and Services, National Trends and Services, the Arts, and Services to Youth, and

WHEREAS, the National Trends and Services facet of The Links, Incorporated, also encompasses service related to three Linkages, including education, health and wellness, and legislative work, which highlights and addresses concerns of the organization in these areas and also affects African Americans and society, and

WHEREAS, The Centers for Disease Control and Prevention (CDC) reports that childhood obesity is a public health epidemic which poses one of the most urgent threats to the health and well being of children and their families the Southern Area of The Links, Incorporated announces that childhood obesity shall be its focused program initiative, and

WHEREAS, the Southern Area of The Links, Incorporated have officially launched its Childhood Obesity Initiative and simultaneously announced its partnership with other health organizations to provide

resources to support this initiative with Chapters located throughout the Southern Area, and

WHEREAS, Links from around the State of Florida have assembled on March 25, 2010 to demonstrate their support for the elimination of childhood obesity, and to focus their efforts in establishing, supporting, and continuing to identify those programs aimed at preventing childhood obesity, and to encourage Legislators to monitor, implement, and seek progress through legislation, and

WHEREAS, Senator Arthenia L. Joyner and Senator Frederica Wilson are members of The Links, Incorporated, NOW, THEREFORE,

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

That this body does pause in its deliberations to pay its respects to the dedicated efforts and example of the Southern Area of The Links, Incorporated, led by Link Mary F. Currie, Area Director, in their successful campaign to eliminate childhood obesity and support those programs as identified that support this initiative and assist to create a better quality of life for the children of this state.

—**SR 80** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

**SR 852**—A resolution recognizing Hillsborough Area Regional Transit for its designation as Florida’s best public transit system.

WHEREAS, a vital public transit system is critical to the future of this nation, with public investment in public transportation strengthening the economy, creating jobs, reducing traffic congestion and air pollution, and saving energy, and

WHEREAS, in major metropolitan areas, public transit is an essential transportation option that can cut through congestion to provide access to job markets and remove auto trips from the highway system, thereby helping to maintain highway capacity for the shipment of goods and materials, and

WHEREAS, in 2007, David Armijo brought his vision for public transit in the Tampa Bay area to Hillsborough Area Regional Transit (HART) as its chief executive officer, and

WHEREAS, under David Armijo’s leadership, HART has improved efficiency and effectiveness, enhanced customer service, and instituted the highest standards of financial management, and

WHEREAS, the Florida Public Transportation Association on November 10, 2009, recognized HART as the state’s best, naming it the Outstanding Transit System, NOW, THEREFORE,

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

That the management team and staff of Hillsborough Area Regional Transit are commended for their outstanding achievements that have earned the designation as “Outstanding Transit System” by the Florida Public Transportation Association.

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

—**SR 852** was introduced, read and adopted by publication.

At the request of Senator Fasano—

By Senator Fasano—

**SR 2736**—A resolution honoring the attorneys and staff of Florida Legal Services and recognizing their dedication and commitment to representing vulnerable Floridians in the civil justice system.

WHEREAS, many residents of this state continue to struggle in poverty, unemployment is at an all-time high at nearly 12 percent, more

than a million Floridians are out of work, more than 500,000 Florida homeowners found themselves in foreclosure proceedings in 2009, up 213 percent from 2007, 2.5 million households lack sufficient money to put food on the table and are currently receiving food stamp assistance, and, on any given night, there are about 57,000 Floridians without homes for shelter, and

WHEREAS, in 1973 The Florida Bar, working with then-Governor Reuben Askew, formed Florida Legal Services to expand the availability of civil legal assistance to the poor in Florida, and

WHEREAS, the Florida Legislature has recognized the importance of civil legal assistance to the poor and the improvement of access to justice by passage of the Florida Access to Civil Legal Assistance Act, and

WHEREAS, today there are 31 legal aid programs and 480 attorneys serving the residents of the state’s 67 counties, and each year the legal needs of more than 98,000 Florida families are addressed by these programs, and

WHEREAS, legal aid attorneys and their support staff protect the most vulnerable Florida residents from continued domestic violence, prevent scam artists from victimizing the elderly, and respond to situations involving mortgage fraud, denial of health care, and much more, and

WHEREAS, Florida Legal Services, working with local legal services and legal aid attorneys throughout the state, has successfully worked with the Legislature to secure legal protections for people moving from welfare to work and for Medicaid recipients, to regulate day-labor operations, to win legal protections for the homeless and residential tenants, and to enact restrictions on predatory mortgage lending practices as well as enhanced regulation of title loan operations, and

WHEREAS, Florida Legal Services and legal aid attorneys and staff demonstrate commitment, dedication, and excellence in securing access to justice for this state’s most vulnerable residents, NOW, THEREFORE,

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

That the dedicated attorneys and staff of Florida Legal Services are recognized for their commitment and tireless work on behalf of Floridians who, otherwise, would go without representation in the civil justice system.

—**SR 2736** was introduced, read and adopted by publication.

At the request of Senator Richter—

By Senator Richter—

**SR 2810**—A resolution recognizing the outstanding achievements in educational leadership of Cynthia Phillips-Luster and Priscilla Ribeiro and congratulating them on their recognition by the Florida Department of Education.

WHEREAS, schools need highly effective principals and assistant principals in order to help spearhead the success of their students, and

WHEREAS, the Principal Achievement Award for Outstanding Leadership was established in 1988 to recognize exemplary principals for their contributions to their schools and communities, and

WHEREAS, the Outstanding Assistant Principal Achievement Award was established in 1997 to recognize exemplary assistant principals for their contributions to their schools and communities, and

WHEREAS, these programs honor school leaders who organize and carry out initiatives to increase student performance, promote safe learning environments, and establish partnerships with parents and community members, and

WHEREAS, the Florida Department of Education has recognized Cynthia Phillips-Luster, the principal of James Stephens International Academy in Lee County, which serves more than 700 students in grades K-8, and

WHEREAS, Principal Phillips-Luster is a leader who honors diversity, can solve complex problems related to the educational process, has mastered the use of technology in retrieving data to make important decisions about learning for all students, and has led her teachers and students to ever-increasing levels of achievement, and

WHEREAS, the Florida Department of Education has also recognized Priscilla Ribeiro, the assistant principal of Cypress Bay High School in Broward County, which serves more than 3,700 students in grades 9-12, and

WHEREAS, Assistant Principal Ribeiro is dedicated to children, committed to equity and access for all students so that they may achieve their highest goals, possesses superior interpersonal skills with all stakeholders in the community, shows compassion for students and adults, has the ability to motivate the faculty and students, incorporates innovative programs, and maintains a sense of accountability in all of her work, and

WHEREAS, the Principal and Assistant Principal recognition programs raise awareness of extraordinary individuals serving in our public schools, NOW, THEREFORE,

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

That, the Senate recognizes and congratulates Cynthia Phillips-Luster and Priscilla Ribeiro on their recognition by the Florida Department of Education.

—**SR 2810** was introduced, read and adopted by publication.

### BILLS ON THIRD READING

**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 appli-

cation; 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.

—as amended March 23 was read the third time by title.

### MOTION

On motion by Senator Negron, by the required two-thirds vote, consideration of the following amendment was allowed:

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

**Amendment 1 (127860) (with title amendment)**—Between lines 1452 and 1453 insert:

Section 20. *The Department of Revenue is authorized and all conditions are deemed met, to adopt emergency rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to administer the provisions of this act. The emergency rules shall remain in effect for 6 months after the rules are adopted and the rules may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

Section 21. *For the 2010-2011 fiscal year, the sum of \$140,494 in nonrecurring funds from the General Revenue Fund is appropriated to the Department of Revenue for purposes of implementing the provisions of this act.*

And the title is amended as follows:

Delete line 66 and insert: the act; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation to the Department of Revenue to implement the act; providing effective dates.

### SENATOR VILLALOBOS PRESIDING

On motion by Senator Negron, **CS for SB 2126** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Dockery	Peaden
Altman	Fasano	Richter
Baker	Gaetz	Ring
Bennett	Garcia	Siplin
Constantine	Haridopolos	Smith
Crist	Lawson	Storms
Dean	Lynn	Thrasher
Detert	Negron	Wise

Nays—11

Aronberg	Hill	Sobel
Bullard	Jones	Villalobos
Deutch	Joyner	Wilson
Gelber	Justice	

### ADOPTION OF RESOLUTIONS

On motion by Senator Bennett—

By Senator Bennett—

**SR 2298**—A resolution recognizing Mote Marine Laboratory on the occasion of its 55th Anniversary.

WHEREAS, housed in a 12-foot-by-20-foot shed in Placida, Florida, Mote Marine Laboratory was created in 1955 as the Cape Haze Marine Laboratory by the now-famous shark researcher Dr. Eugenie Clark, with backing from William and Alfred Vanderbilt, and

WHEREAS, during its first decade of existence, the laboratory experienced a substantial growth in its reputation as well as its facilities and, under the guidance of many people, including former directors, benefactor William R. Mote, and current president Dr. Kumar Mahadevan, now encompasses eight buildings dedicated to research, education, and conference space on its 10.5-acre campus in Sarasota, with research and education also conducted in an inland aquaculture park in Sarasota and in field stations in Charlotte Harbor and the Florida Keys, and

WHEREAS, starting with only a handful of researchers focused solely on sharks, Mote Marine Laboratory is now a powerhouse of near-shore marine research, studying everything from sharks to red tide to marine mammals to fisheries at seven centers, and today, as one of the world's few remaining independent marine research centers, boasts more than 190 staff members and 1,300 volunteers who contribute more than 200,000 hours, and

WHEREAS, Mote Marine Laboratory has also made a significant commitment to public education through its aquarium, which draws approximately 350,000 visitors annually, and through its online campus and distance learning program that reaches more than 28,000 K-12 and college students, and

WHEREAS, Mote Marine Laboratory has earned international recognition for its contributions to the greater body of scientific knowledge and public education relating to fragile marine and estuarine ecosystems, and

WHEREAS, Mote Marine Laboratory has significant research and academic partnerships with various members of the State University System and has entered into a landmark affiliation agreement with the University of South Florida that allows two of the state's leading research institutions to join forces in new science ventures, provide expanded learning programs, and create economic development opportunities for the region and state, NOW, THEREFORE,

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

That the Senate recognizes Mote Marine Laboratory for its tireless pursuit of answers to some of the ocean's most pressing questions, is commended for sharing its knowledge with the world, and is congratulated on the occasion of its 55th anniversary year.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Dr. Kumar Mahadevan, President of Mote Marine Laboratory, as a tangible token of the sentiments expressed herein.

—was introduced out of order and read by title. On motion by Senator Bennett, **SR 2298** was read the second time in full and adopted.

## BILLS ON THIRD READING

Consideration of **SJR 2** and **CS for CS for SB 4** was deferred.

**CS for CS for SB 6**—A bill to be entitled An act relating to education personnel; amending s. 39.202, F.S.; authorizing the release of child abuse records to certain employees and agents of the Department of Education; amending s. 447.403, F.S.; deleting a provision that provides for an expedited impasse hearing for disputes involving the Merit Award Program plan to conform to changes made by the act; amending s. 1002.33, F.S.; requiring a charter school to adopt a salary schedule for instructional personnel and school-based administrators which meets certain requirements; providing that charter schools must meet certain requirements for end-of-course assessments, performance appraisals, and certain contracts; deleting a cross-reference to conform to changes made by the act; requiring that the Commissioner of Education review certain charter schools for compliance with the requirements for a salary schedule, assessments, and contracts; requiring a specified funding adjustment to be imposed against a charter school that is not in compliance; amending s. 1003.52, F.S.; deleting a cross-reference to conform to changes made by the act; repealing s. 1003.62, F.S., relating to academic performance-based charter school districts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; repealing s. 1003.63, relating to the deregulated public schools pilot program; amending s. 1004.04, F.S.; revising the criteria for continued approval of teacher preparation pro-

grams to include student learning gains; deleting the waiver of admissions criteria for certain students; deleting the criterion relating to employer satisfaction; revising the requirements for a teacher preparation program to provide additional training to a graduate who fails to demonstrate essential skills; deleting a provision that requires state-approved teacher preparation programs and public and private institutions offering training for school-readiness-related professions to report graduate satisfaction ratings; revising the requirements for preservice field experience programs; repealing s. 1004.04(11) and (12), F.S., relating to the Preteacher and Teacher Education Pilot Programs and the Teacher Education Pilot Programs for High-Achieving Students; amending s. 1004.85, F.S.; revising the requirements for individuals who participate in programs at postsecondary educator preparation institutes; revising the requirements for approved alternative certification programs and instructors; creating s. 1008.222, F.S.; requiring school districts to develop and implement end-of-course assessments; requiring a review of assessments by the Commissioner of Education; amending s. 1009.40, F.S.; deleting cross-references to conform to changes made by the act; repealing s. 1009.54, F.S., relating to the Critical Teacher Shortage Program; repealing s. 1009.57, F.S., relating to the Florida Teacher Scholarship and Forgivable Loan Program; repealing s. 1009.58, F.S., relating to the Critical Teacher Shortage Tuition Reimbursement Program; repealing s. 1009.59, F.S., relating to the Critical Teacher Shortage Student Loan Forgiveness Program; amending s. 1009.94, F.S.; deleting cross-references to conform to changes made by the act; creating s. 1011.626, F.S.; providing legislative findings and intent; creating the Performance Fund for Instructional Personnel and School-Based Administrators; providing for calculation of the fund amount; providing for distribution of funds to districts and specifying purposes for which funds may be expended; providing for reversion of unexpended funds; specifying that salary increases from these funds are in addition to other salary adjustments; specifying requirements for individuals paid from federal grants; requiring that each district school board submit its district adopted salary schedule and certain assessments to the Commissioner of Education for review; requiring that the commissioner determine compliance with requirements applicable to the schedules and assessments; requiring a review by the Auditor General of certain classroom teacher contracts; requiring that the Commissioner of Education notify the Governor and Legislature of school districts that fail to comply with salary schedule, assessment, and contract requirements; requiring a specified funding adjustment to be imposed against a school district for such failure to comply; requiring that the State Board of Education adopt rules; amending s. 1011.69, F.S.; deleting a provision that exempts academic performance-based charter school districts from the Equity in School-Level Funding Act to conform to changes made by the act; amending s. 1012.05, F.S.; revising the Department of Education's responsibilities for teacher recruitment; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; deleting cross-references to conform to changes made by the act; amending s. 1012.22, F.S.; revising the powers and duties of the district school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; repealing s. 1012.225, F.S., relating to the Merit Award Program for Instructional Personnel and School-Based Administrators; repealing s. 1012.2251, F.S., relating to the end-of-course examinations for the Merit Award Program; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain educational personnel; requiring a district school board's decision to retain personnel who have continuing contracts or professional service contracts to be primarily based on the employee's performance; deleting requirements that school board decisions for workforce reductions be based on collective bargaining agreements; deleting requirements for district school board rules for workforce reduction; creating s. 1012.335, F.S.; providing definitions; providing employment criteria for newly hired classroom teachers; providing grounds for termination; requiring that the State Board of Education adopt rules defining the term "just cause"; providing guidelines for such term; amending s. 1012.34, F.S.; revising provisions related to the appraisal of instructional personnel and school-based administrators; requiring that the Department of Education approve school district appraisal instruments; requiring the Department of Education to collect appraisal information from school districts and to report such information to the Governor and the Legislature; providing requirements for appraisal systems; authorizing an employee to request that a district school superintendent review an unsatisfactory performance appraisal; conforming provisions to changes made by the act; amending s. 1012.42, F.S.; prohibiting a district school board from assigning a new teacher to teach

reading, science, or mathematics if he or she is not certified in those subject areas; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.56, F.S.; revising the certification requirements for persons holding a valid professional standard teaching certificate issued by another state; providing additional means of demonstrating mastery of professional preparation and education competence; requiring that the State Board of Education review the current subject area examinations and increase the scores necessary for achieving certification; authorizing the State Board of Education to adopt rules to allow certain college credit to be used to meet certification requirements; amending s. 1012.585, F.S.; providing for future expiration of provisions governing certification of teachers who hold national certification; revising the renewal requirements for a professional certificate; providing additional requirements that must be met in order to renew the certificate; requiring that the State Board of Education adopt rules for the renewal of a certificate held by a certificateholder who has not been evaluated under s. 1012.34, F.S.; amending s. 1012.72, F.S.; limiting bonuses under the Dale Hickam Excellent Teaching Program to individuals who remain continuously employed in a public school in this state or the Florida School for the Deaf and the Blind; amending s. 1012.79, F.S.; revising the composition of the Education Practices Commission; conforming provisions to changes made by the act; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; requiring that the Department of Education submit a report on the cost-effectiveness of teacher preparation programs to the Governor and the Legislature by a specified date; specifying the report requirements; requiring that the Office of Program Policy Analysis and Government Accountability submit recommendations to the Legislature relating to changes in the criteria for the continued approval of teacher preparation programs; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing for severability; providing for application of a specified provision of the act; providing effective dates.

—as amended March 23 was read the third time by title.

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

**Amendment 1 (544536)**—Delete line 1234 and insert:

*b.3.* Knowledge of subject matter. *A district school board may consider advanced degrees held by instructional personnel.* ~~The district school board~~

#### MOTION

On motion by Senator Justice, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Justice moved the following amendment which failed to receive the required two-thirds vote:

**Amendment 2 (465892) (with title amendment)**—Delete lines 403-408 and insert:

Each teacher preparation program may waive these admissions requirements for up to 10 percent of the students admitted. Programs shall implement strategies to ensure that students admitted under a waiver receive assistance to demonstrate competencies to successfully meet requirements for certification.

And the title is amended as follows:

Delete lines 32 and 33 and insert: learning gains; deleting the criterion

#### MOTION

On motion by Senator Aronberg, the rules were waived and time of recess was extended until 12:00 p.m.

#### THE PRESIDENT PRESIDING

On motion by Senator Thrasher, **CS for CS for SB 6** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—21

Mr. President	Detert	Negron
Alexander	Diaz de la Portilla	Oelrich
Altman	Fasano	Peaden
Baker	Gaetz	Richter
Bennett	Garcia	Storms
Constantine	Haridopolos	Thrasher
Crist	Lynn	Wise

Nays—17

Aronberg	Hill	Siplin
Bullard	Jones	Smith
Dean	Joyner	Sobel
Deutch	Justice	Villalobos
Dockery	Lawson	Wilson
Gelber	Ring	

#### SPECIAL ORDER CALENDAR

On motion by Senator Dean, by unanimous consent—

**CS for SB 1698**—A bill to be entitled An act relating to road designations; designating Deputy Victor J. “Skip” McDonald Memorial Highway in Taylor County; designating Trooper Charles Eugene Campbell Memorial Highway in Taylor County; designating Ray Charles Memorial Parkway in Madison County; designating Frank Pasquarella Way and Bob Arbetter’s Way in Miami-Dade County; designating Trooper Ronald Gordon Smith Memorial Bridge in Citrus County; designating the Chad Allen Reed, Sr., Memorial Highway in Dixie County; directing the Department of Transportation to erect markers; providing an effective date.

—was taken up out of order and read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1698** to **CS for CS for HB 29**.

Pending further consideration of **CS for SB 1698** as amended, on motion by Senator Dean, by two-thirds vote **CS for CS for HB 29** was withdrawn from the Committee on Transportation.

On motion by Senator Dean—

**CS for CS for HB 29**—A bill to be entitled An act relating to road and bridge designations; designating Ray Charles Memorial Parkway in Madison County; designating Deputy Victor J. “Skip” McDonald Memorial Highway and Trooper Charles Eugene Campbell Memorial Highway in Taylor County; designating Frank Pasquarella Way, Bob Arbetter’s Way, and Don Shula Drive in Miami-Dade County; designating Captain Chad Allen Reed, Sr., Memorial Highway in Dixie County; designating Trooper Ronald Gordon Smith Memorial Bridge in Citrus County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—a companion measure, was substituted for **CS for SB 1698** as amended and read the second time by title.

On motion by Senator Lawson, by two-thirds vote **CS for CS for HB 29** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Siplin	Storms	Wilson
Smith	Thrasher	Wise
Sobel	Villalobos	

Nays—None

**MOMENT OF SILENCE**

On motion by Senator Dean, the Senate observed a moment of silence for Dixie County Sheriff's Captain Chad Allen Reed, Sr. who died in the line of duty on January 14, 2010 in Dixie County. Senator Dean recognized members of Captain Reed's family who were present in the gallery.

**MOTIONS**

On motion by Senator Villalobos, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for the evening session at 6:00 p.m. or Thursday, March 25.

**RECESS**

On motion by Senator Villalobos, the Senate recessed at 11:30 a.m. for the purpose of holding the Senate Reunion, committee meetings and conducting other Senate business to reconvene at 6:00 p.m. or upon call of the President.

**CALL TO ORDER**

The Senate was called to order by the President at 11:38 a.m. A quorum present.

**SENATE REUNION**

The following former members of the Senate and their guests, in attendance for the 2010 Senate Reunion, were welcomed by the President: Reubin O'D. Askew; William D. "Wig" Barrow and guest, Jeremy Branch; Commissioner of Agriculture Charlie Bronson; John R. Broxson and brother, Doug Broxson; Don Chamberlin; Don C. Childers; Bob Crawford; Mayor Richard T. Crotty; Rick Dantzler; Timothy D. Deratany; Fred R. Dudley; Vince Fechtel, Jr., his wife, Dixie, and daughters, Elizabeth and Mary Katherine; Howard C. Forman; Pat Frank and guest, Harry Cohen; Winston W. "Bud" Gardner; Bill Grant and wife, Janet; John Grant; Patricia A. Grogan, her husband, David Teek, and daughters, Mackenzie and Veronica Teek; Bill Gunter and wife, Kathy Atkins-Gunter; Jim Horne; Toni Jennings; Karen Johnson and guest, Rene Gendron; Daryl L. Jones and wife, Myoushi; Curt Kiser and wife, Sally; Patsy Ann Kurth, daughters, Sara Kurth-Diaz and Martha Harbin, and grandson, Lucas Diaz; Jack Latvala and guest, Connie Prince; Tom Lee; Franklin B. Mann; Gwen Margolis; David H. McClain, his wife, Carroll, and guest, Sheila McDevitt; Robert W. McKnight; Tom McPherson and wife, Janet; Matthew J. Meadows and wife, Charley Mae; Carrie P. Meek; Richard Mitchell, and guest, Dean Papapetrou; Richard A. Pettigrew; Kenneth A. Plante; Van B. Poole; Richard "Dick" Renick and wife, Valerie; Cliff S. Reuter, his wife, Ann, and grandson, Hiatt Woods; Burt L. Saunders; James A. Scott; Ronald A. "Ron" Silver; Tom Slade and wife, Carole Watson; Bruce Smathers and wife, Susan; Javier Souto; Paul B. Steinberg and wife, Sandra; Donald C. Sullivan, M.D.; Russell E. Sykes and wife, Jan; Jon Thomas; Karen Thurman; John W. Vogt and wife, Tonie; Judge Peter M. Weinstein and wife, Dr. Barbara-Ann Weinstein; Charles Williams and wife, Marilyn; and Lori Wilson and guest, Rod Crews.

The following special guest was also welcomed: Linda B. King, widow of former Senator James E. "Jim" King, Jr.

President Atwater recognized the following former Senate Presidents: John W. Vogt, 1986-1988; Bob Crawford, 1988-1990; Gwen Margolis, 1990-1992; James A. Scott, 1994-1996; Toni Jennings, 1996-2000; and Tom Lee, 2004-2006.

By direction of the President, the Secretary read the names of former Senators who have passed away since the last reunion: Louis de la Parte, Joe Eaton, Roberta Fox, Clyde W. Galloway, William M. Gillespie, William D. "Bill" Gorman, Mallory E. Horne, James E. "Jim" King, Jr.,

Jeanne Malchon, John Angus McDonald, Ralph R. Poston, Sr., Dan I. Scarborough and Sherman S. Winn. The President then asked for a moment of silence in their memory.

The President recognized former and current Senators for remarks. Group photographs were taken of former Senate Presidents and all current and former Senators.

**RECESS**

The Senate stood in recess upon the dissolution of the Senate Reunion at 12:31 p.m. to reconvene at 6:00 p.m. or upon call of the President.

**EVENING SESSION**

The Senate was called to order by President Atwater at 6:00 p.m. A quorum present—37:

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

**BILLS ON THIRD READING**

**CS for CS for SB 4**—A bill to be entitled An act relating to education accountability; amending s. 1003.413, F.S., relating to secondary school redesign, to delete obsolete provisions and to conform to changes made by the act; amending s. 1003.4156, F.S.; revising requirements for middle grades promotion; providing that successful completion of a high school level Algebra I, geometry, or Biology I course is not contingent upon a student's performance on the end-of-course assessment; requiring a student to pass the end-of-course assessment to earn high school credit for such courses; specifying information that must be provided to students as part of the personalized academic and career plan; amending s. 1003.428, F.S.; revising requirements for high school graduation; requiring students entering grade 9 in specified school years to meet end-of-course assessment requirements and revised credit requirements in mathematics and science for high school graduation; requiring credit in a virtual instruction course; providing a definition for the term "virtual instruction course"; requiring district school board standards for grades in certain courses; providing for waiver of end-of-course assessment results for the purpose of receiving a course grade and credit for students with disabilities; amending s. 1003.429, F.S.; revising requirements for accelerated high school graduation options; updating cross-references; requiring students entering grade 9 in specified school years to meet end-of-course assessment requirements and revised credit requirements in mathematics and science for high school graduation; requiring credit in a virtual instruction course; providing a definition for the term "virtual instruction course"; requiring district school board standards for grades in certain courses; creating s. 1003.4295, F.S.; requiring high schools to advise students of, and offer, acceleration courses; creating the Credit Acceleration Program; amending s. 1003.493, F.S., relating to career and professional academies, to conform to changes made by the act; amending s. 1007.35, F.S., relating to the Florida Partnership for Minority and Underrepresented Student Achievement, to conform to changes made by the act; amending s. 1008.22, F.S.; revising the statewide student achievement testing program; requiring end-of-course assessments in mathematics and science to replace FCAT Mathematics and FCAT Science beginning with students entering grade 9 in specified school years; providing requirements for the administration of, and student performance on, statewide, standardized end-of-course assessments in mathematics and science; providing for establishment of an implementation schedule to develop and administer end-of-course assessments in certain courses; requiring evaluation and reporting of the transition to specified end-of-course assessments; requiring the use of

scaled scores and student achievement levels for describing student success on assessments; requiring the State Board of Education to designate passing scores for end-of-course assessments and scores that indicate high achievement; providing requirements for retaking specified assessments; providing for waiver of end-of-course assessment requirements for students in exceptional education programs and students who have limited English proficiency; revising provisions relating to testing and reporting schedules; requiring that the Commissioner of Education consider the observance of religious and school holidays when establishing the schedules for the administration of statewide assessments; conforming provisions and cross-references; authorizing the State Board of Education to adopt concordant scores for the FCAT and equivalent scores for end-of-course assessments; deleting retake requirements for use of concordant scores; providing requirements for use of equivalent scores; amending s. 1008.25, F.S., relating to public school student progression, to conform to changes made by the act; amending s. 1008.30, F.S., relating to the common placement test, to conform to changes made by the act; amending s. 1008.34, F.S.; revising provisions that specify the basis for determining school grades to include student performance on end-of-course assessments and to conform provisions to current FCAT assessments; amending s. 1008.341, F.S.; revising provisions that specify the basis for determining an alternative school's school improvement rating to include student performance on end-of-course assessments; amending s. 1008.36, F.S.; revising provisions relating to the use of school recognition awards; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study on the different types of high school diplomas offered in other states; requiring that the study be submitted to the Governor and the Legislature by a specified date; providing an effective date.

—as amended March 23 was read the third time by title.

#### MOTION

On motion by Senator Wise, by the required two-thirds vote, consideration of the following amendment was allowed:

Senators Wise and Detert offered the following amendment which was moved by Senator Wise and adopted by two-thirds vote:

**Amendment 1 (824818) (with title amendment)**—Delete lines 411-415 and insert: *accommodations, shall have the end-of-course assessment results waived for the purpose of determining the student's course grade and credit as required in paragraph (4)(a).*

And the title is amended as follows:

Delete line 25 and insert: results for the purpose of determining a course grade

#### MOTION

On motion by Senator Detert, by the required two-thirds vote, consideration of the following amendments were allowed:

Senator Detert moved the following amendments which were adopted by two-thirds vote:

**Amendment 2 (622996) (with title amendment)**—Delete lines 226-238 and insert: *Education. The*

And the title is amended as follows:

Delete lines 20-22 and insert: school graduation; requiring district

**Amendment 3 (445874) (with title amendment)**—Delete lines 503-516 and insert: credits in grades 9 through 12. The 18 credits

And the title is amended as follows:

Delete lines 33-35 and insert: school graduation; requiring district

**Amendment 4 (839348) (with title amendment)**—Delete lines 434-447 and insert: as rigorous pursuant to s. 1009.531(3). The

And the title is amended as follows:

Delete lines 33-35 and insert: school graduation; requiring district

On motion by Senator Detert, **CS for CS for SB 4** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Wilson

### SPECIAL ORDER CALENDAR, continued

On motion by Senator Alexander—

**CS for CS for SB 850**—A bill to be entitled An act relating to the Florida Industrial and Phosphate Research Institute; transferring, renumbering, and amending s. 378.101, F.S.; renaming the Florida Institute of Phosphate Research as the “Florida Industrial and Phosphate Research Institute” and establishing it within the University of South Florida Polytechnic; creating the Phosphate Research and Activities Board; providing duties, membership, and terms for the board; providing for an executive director of the institute; providing duties for the executive director; providing duties and authorized activities for the institute; amending s. 211.31, F.S.; conforming a cross-reference; providing for a type two transfer of the Florida Institute of Phosphate Research to the Florida Industrial and Phosphate Research Institute within the University of South Florida Polytechnic; repealing s. 378.102, F.S., relating to the Florida Institute of Phosphate Research; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 850** was placed on the calendar of Bills on Third Reading.

**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"; reenacting 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 read the second time by title.

Amendments were considered and failed and an amendment was considered and adopted to conform **CS for SB 880** to **CS for CS for HB 1207**.

Pending further consideration of **CS for SB 880** as amended, on motion by Senator Alexander, by two-thirds vote **CS for CS for HB 1207** was withdrawn from the Committee on Ethics and Elections.

On motion by Senator Alexander—

**CS for CS for HB 1207**—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 chapter 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"; reenacting 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.

—a companion measure, was substituted for **CS for SB 880** as amended and read the second time by title.

On motion by Senator Lawson, by two-thirds vote **CS for CS for HB 1207** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Diaz de la Portilla	Peaden
Alexander	Fasano	Richter
Altman	Gaetz	Ring
Baker	Haridopolos	Siplin
Bennett	Jones	Storms
Constantine	Lawson	Thrasher
Crist	Lynn	Wise
Dean	Negron	
Detert	Oelrich	

Nays—11

Aronberg	Hill	Sobel
Deutch	Joyner	Villalobos
Dockery	Justice	Wilson
Gelber	Smith	

## MOTIONS

On motion by Senator Villalobos, an amendment deadline of one hour after recess was set for Bills on Third Reading to be considered Thursday, March 25.

## REPORTS OF COMMITTEES

The Policy and Steering Committee on Commerce and Industry submits the following bill to be placed on the Special Order Calendar for Wednesday, March 24, 2010: CS for SB 1698.

Respectfully submitted,  
*Michael S. "Mike" Bennett,*  
 Chair

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 2018

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

The Committee on Community Affairs recommends the following pass: SB 1932; SB 1998 with 1 amendment

The Committee on Education Pre-K - 12 recommends the following pass: SB 2602

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

The Committee on Community Affairs recommends the following pass: SB 1920 with 1 amendment

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

The Committee on Education Pre-K - 12 recommends the following pass: SB 2686

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

The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 2578 with 1 amendment

**The bill was referred to the Committee on Environmental Preservation and Conservation under the original reference.**

The Committee on Commerce recommends the following pass: SB 220; SB 1766; SB 1774; SB 2454; SB 2572

The Committee on Communications, Energy, and Public Utilities recommends the following pass: CS for SB 2322

The Committee on Community Affairs recommends the following pass: SJR 718; SB 1884; SB 2160

**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 304

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 1952 with 2 amendments

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

The Committee on Communications, Energy, and Public Utilities recommends the following pass: SB 2646

The Committee on Community Affairs recommends the following pass: SB 2106; SM 2254

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 142

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

The Committee on Community Affairs recommends the following pass: CS for SB 320; CS for SB 1284; SB 2372

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 958

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

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 1312; SB 1706

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

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 882

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

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 2592

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

The Policy and Steering Committee on Ways and Means recommends the following pass: CS for SB 2060

**The bill was placed on the Calendar.**

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: CS for SB 1058

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1754

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 2268

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

The Committee on Community Affairs recommends a committee substitute for the following: SJR 2420

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 2580

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

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1972

**The bill with committee substitute attached was referred to the Committee on Health and Human Services Appropriations under the original reference.**

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 2186

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1142

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

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 888; SB 2170

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 46

**The bill with committee substitute attached was placed on the Calendar.**

**REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS**

The Committee on Communications, Energy, and Public Utilities recommends that the Senate confirm the following appointments made by the Chief Financial Officer:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Energy and Climate Commission	
Appointee: Clark, John "J.B." Boston	09/30/2011

The Committee on Communications, Energy, and Public Utilities recommends that the Senate confirm the following appointments made by the Commissioner of Agriculture:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Energy and Climate Commission	
Appointee: Poindexter, Christian H.	09/30/2011

The Committee on Communications, Energy, and Public Utilities recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Energy and Climate Commission	
Appointees: Baughman McLeod, Kathy	09/30/2010
Diaz, Nils J.	09/30/2010
Ferguson, Howell L.	09/30/2011
Gladding, Nicholas C.	09/30/2012
Harrison, Debra "Debbie" S.	09/30/2011
Jackson, Timothy T.	09/30/2011
Murley, James F.	09/30/2011

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Environmental Regulation Commission	
Appointees: Miklos, John	07/01/2011
Ross, Donald H.	07/01/2011

The appointments were referred to the Committee on Ethics and Elections under the original reference.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Community Affairs; and Senator Peaden—

**CS for SB 46**—A bill to be entitled An act for the relief of Edwidge Valmyr Gabriel, as parent and natural guardian of her son, Stanley Valmyr, a minor, and as personal representative of the Estate of Stanley Valmyr, deceased, by the City of North Miami; providing for an appropriation to compensate her for the wrongful death of her son, Stanley Valmyr, as a result of the negligence of the City of North Miami; providing a limitation on the payment of fees and costs; providing an effective date.

By the Committee on Community Affairs; and Senator Altman—

**CS for SB 1754**—A bill to be entitled An act relating to enterprise zones; creating s. 290.00726, F.S.; authorizing the City of Palm Bay to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing an application deadline; providing requirements for the area of the enterprise zone; requiring the office to establish the effective date of the enterprise zone; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to the Office of Tourism, Trade, and Economic Development to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing the office to approve the amendment application subject to certain requirements; requiring that the office establish the effective date of certain enterprise zones; creating s. 290.00727, F.S.; authorizing Martin County to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing application requirements; authorizing the office to designate an enterprise zone in Martin County; providing responsibilities of the office; providing an effective date.

By the Committees on Community Affairs; and Governmental Oversight and Accountability; and Senator Ring—

**CS for 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; requiring that the board meet at specified intervals and receive reports containing certain information from specified entities; 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; creating s. 215.443, F.S.; creating the Agency for Professional Fund Management; providing for the makeup of the agency; 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.

By the Committee on Community Affairs; and Senator Haridopolos—

**CS for SJR 2420**—A joint resolution proposing an amendment to Section 1 and the creation of a new section in Article VII of the State Constitution to limit state revenues and require voter approval of new taxes and fees.

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

**CS for SB 888**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 39.0132, F.S., which provides an exemption from public-records requirements for certain information regarding a child held by a guardian ad litem; clarifying and reorganizing the exemption; removing the scheduled repeal of the exemption; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Ethics and Elections—

**CS for SB 2170**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 112.324, F.S., which provides an exemption from public-records requirements for complaints and related records held by the Commission on Ethics or a Commission on Ethics and Public Trust established by a county or municipality and an exemption from public-meetings requirements for proceedings conducted by such commissions pursuant to a complaint or preliminary investigation; reorganizing the exemption; removing the scheduled repeal of the exemption; providing an effective date.

By the Committees on Education Pre-K - 12; and Criminal Justice; and Senator Aronberg—

**CS for CS for SB 1058**—A bill to be entitled An act relating to the cooperation between schools and juvenile authorities; amending s. 985.04, F.S.; requiring that specified school personnel be notified when a child of any age is formally charged by a state attorney with a felony or a delinquent act that would be a felony if committed by an adult and the disposition of the charges; amending s. 1002.221, F.S.; authorizing certain entities to release a student's education records without consent of the student or parent to parties to an interagency agreement for specified purposes; providing that without consent such information is inadmissible in a court proceeding before a dispositional hearing; providing an effective date.

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

**CS for SB 1142**—A bill to be entitled An act relating to public records and meetings; amending s. 119.071, F.S.; providing that bids, proposals, or replies in response to a competitive procurement solicitation are exempt from the public-records law; limiting how long such records are exempt; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; amending s. 286.0113, F.S.; providing a temporary exemption from the public-meetings law for meetings at which vendors make presentations or answer questions as part of a competitive procurement solicitation; providing that documents or materials presented at such meeting are temporarily exempt from the public-records law; providing for future repeal and legislative review of the exemptions under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

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

**CS for SB 1972**—A bill to be entitled An act relating to veterans; amending s. 496.406, F.S.; exempting certain veterans' organizations from requirements to file registration statements with the Department of Agriculture and Consumer Services; amending s. 295.187, F.S.; revising the definition of the term "service-disabled veteran" for purposes of the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; amending s. 296.06, F.S.; revising eligibility requirements for residency in the Veterans' Domiciliary Home of Florida; amending s. 296.36, F.S.; revising eligibility requirements for admittance into a licensed health care facility operated by the Department of Veterans' Affairs; providing an effective date.

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

**CS for SB 2268**—A bill to be entitled An act relating to state employment; providing directives to the Division of Statutory Revision; amending s. 110.105, F.S.; revising provisions relating to the employment policy of the state; transferring, renumbering, reordering, and amending s. 110.107, F.S.; revising definitions relating to ch. 110, F.S.; amending s. 110.1055, F.S.; revising the rulemaking authority of the Department of Management Services; creating s. 110.1056, F.S.; providing for agency audits to determine compliance with laws and rules; transferring, renumbering, and amending s. 110.405, F.S.; revising provisions relating to the appointment of ad hoc advisory committees; creating s. 110.1065, F.S.; providing the employment policies of the State Personnel System; authorizing the department to adopt rules; transferring, renumbering, and amending s. 110.233, F.S.; conforming provisions to changes made by the act; authorizing the department to adopt rules; amending s. 110.1099, F.S.; revising provisions relating to educational opportunities for employees; transferring, renumbering, and amending s. 110.235, F.S.; revising provisions relating to training employees; authorizing the department to adopt rules; amending s. 110.112, F.S.; revising provisions relating to equal employment opportunities; amending s. 110.1127, F.S.; revising provisions relating to background screening; authorizing the department to adopt rules; amending s. 110.113, F.S.; revising provisions relating to pay periods; authorizing the department to adopt rules; creating s. 110.1135, F.S.; requiring state agencies to keep accurate records of work performed and leave; amending s. 110.116, F.S.; revising provisions relating to maintaining human resource information; authorizing the department to adopt rules; amending s. 110.117, F.S.; revising provisions relating to an employee's personal holiday; amending s. 110.1245, F.S.; revising provisions relating to bonuses and other awards; authorizing the department to adopt rules; amending s. 110.125, F.S.; revising provisions relating to paying for the administrative costs for operating a personnel system; authorizing the department to adopt rules; amending s. 110.126, F.S.; revising provisions relating to the department's authority to administer oaths; authorizing the department to adopt rules; amending s. 110.127, F.S.; revising provisions relating to penalties; authorizing the department to adopt rules; amending s. 110.1315, F.S.; authorizing the department to adopt rules relating to other-personal-services employee

benefits; amending s. 110.171, F.S.; revising provisions relating to telecommuting; providing a telework program; providing requirements; authorizing the department to adopt rules; transferring, renumbering, and amending s. 110.2037, F.S.; revising provisions relating to alternative benefits; authorizing the department to adopt rules; creating s. 110.183, F.S.; revising provisions relating to collective bargaining; creating s. 110.184, F.S.; revising provisions relating to the department's annual workforce report; providing a directive to the Division of Statutory Revision; creating s. 110.202, F.S.; providing a declaration of policy with respect to the establishment of the Civil Service; amending s. 110.205, F.S.; revising provisions relating to the list of positions that are exempted from the Civil Service; authorizing the department to adopt rules; creating s. 110.208, F.S.; providing for a uniform classification system for civil service positions; creating s. 110.2085, F.S.; providing a pay plan for civil service positions; authorizing the department to adopt rules; amending s. 110.211, F.S.; revising provisions relating to recruitment; authorizing the department to adopt rules; amending s. 110.213, F.S.; revising provisions relating to selecting a candidate for employment; authorizing the department to adopt rules; amending s. 110.2135, F.S.; revising provisions relating to veterans' preference; authorizing the department to adopt rules; amending s. 110.215, F.S.; revising provisions relating to employing persons with disabilities; authorizing the department to adopt rules; amending s. 110.217, F.S.; revising provisions relating to a change in an employee's position status; amending s. 110.219, F.S.; revising provisions relating to attendance and leave policies; amending s. 110.224, F.S.; revising provisions relating to employee evaluation; amending s. 110.227, F.S.; revising provisions relating to employee grievances; providing a directive; transferring, renumbering, and amending s. 110.601, F.S.; revising provisions relating to selected exempt service policy; transferring, renumbering, and amending s. 110.602, F.S.; revising provisions relating to the creation of the Select Exempt Service; transferring, renumbering, and amending s. 110.605, F.S.; revising provisions relating to the powers and duties of the department; creating s. 110.3023, F.S.; providing for the recruitment of selected exempt service staff; providing a directive to the Division of Statutory Revision; amending s. 110.401, F.S.; revising provisions relating to policies for senior management employees; amending s. 110.402, F.S.; revising provisions relating to the establishment of the Senior Management Service; amending s. 110.403, F.S.; revising provisions relating to the duties of the department with respect to the Senior Management Services; creating s. 110.4035, F.S.; providing recruitment requirements for senior management service employees; providing a directive to the Division of Statutory Revision; creating s. 112.906, F.S.; providing definitions for part IX of chapter 110, F.S., relating to state employment; transferring, renumbering, and amending s. 110.131, F.S.; revising a provision relating to other-personal-service employment; transferring and renumbering s. 110.1128, F.S., relating to selective service registration; transferring, renumbering, and amending s. 110.1221, F.S.; revising provisions relating to the state sexual harassment policy; transferring, renumbering, and amending s. 110.122, F.S.; revising provisions relating to payment for sick leave; transferring, renumbering, and amending s. 110.121, F.S.; revising provisions relating to the sick leave pool; transferring, renumbering, and amending s. 110.119, F.S.; revising provisions relating to administrative leave for a service-connected disability; transferring, renumbering, and amending ss. 110.120 and 110.1091, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 110.151, F.S.; revising provisions relating to child care services provided by a state agency; transferring and renumbering s. 110.181, F.S.; transferring, renumbering, and amending s. 110.1225, F.S.; revising provisions relating to agency furloughs; transferring and renumbering s. 110.1155, F.S.; transferring, renumbering, and amending s. 110.191, F.S.; revising provisions relating to state employee leasing; transferring, renumbering, and amending s. 110.1082, F.S.; transferring, renumbering, and amending s. 110.1165, F.S.; revising provisions relating to telephone use; creating s. 112.922, F.S.; providing penalties for violations relating to state employment; creating s. 112.923, F.S.; requiring state employees to participate in the direct deposit program; transferring, renumbering, and amending s. 110.114, F.S.; conforming provisions to changes made by the act; providing a directive to the Division of Statutory Revision; transferring, renumbering, and amending s. 110.1227, F.S.; conforming a cross-reference; transferring, renumbering, and amending s. 110.1228, F.S.; conforming a cross-reference; transferring, renumbering, and

amending s. 110.123, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 110.12312, F.S.; conforming cross-references; transferring and renumbering s. 110.12315, F.S.; transferring, renumbering, and amending s. 110.1232, F.S.; conforming cross-references; transferring and renumbering s. 110.1234, F.S.; transferring and renumbering s. 110.1238, F.S.; transferring and renumbering s. 110.1239, F.S.; transferring, renumbering, and amending s. 110.161, F.S.; conforming a cross-reference; creating s. 112.950, F.S.; providing for penalties; providing a directive to the Division of Statutory Revision; transferring, renumbering, and amending s. 110.501, F.S.; revising definitions relating to state volunteer services; transferring, renumbering, and amending s. 110.502, F.S.; revising provisions relating to volunteer status; transferring, renumbering, and amending s. 110.503, F.S.; revising provisions relating to state agency responsibilities; transferring, renumbering, and amending s. 110.504, F.S.; revising provisions relating to volunteer benefits; creating s. 112.965, F.S.; providing for penalties; repealing s. 110.115, F.S., relating to employees of historical commissions; repealing s. 110.118, F.S., relating to administrative leave for athletic competitions; repealing s. 110.124, F.S., relating to the termination or transfer of employees 65 years of age or older; repealing s. 110.129, F.S., relating to technical personnel assistance to political subdivisions; repealing s. 110.1521, F.S., relating to a short title; repealing s. 110.1522, F.S., relating to a model rule establishing family support personnel policies; repealing s. 110.1523, F.S., relating to the adoption of the model rule; repealing s. 110.201, F.S., relating to personnel rules, records, and reports; repealing s. 110.2035, F.S., relating to the classification and compensation program for employment positions; repealing s. 110.21, F.S., relating to shared employment; repealing s. 110.406, F.S., relating to senior management services data collections; repealing s. 110.603, F.S., relating to a classification plan and pay bands for selected exempt positions; repealing s. 110.604, F.S., relating to certain personnel actions for selected exempt service employees; repealing s. 110.606, F.S., relating to selected exempt service data collection; amending ss. 11.13, 20.055, 20.21, 20.23, 20.255, 24.105, 24.122, 30.071, 43.16, 104.31, 106.24, 112.044, 112.0805, 112.313, 112.3145, 112.363, 121.021, 121.051, 121.055, 121.35, 145.19, 216.011, 216.181, 287.175, 295.07, 295.09, 296.04, 296.34, 381.00315, 381.85, 394.47865, 402.3057, 402.55, 402.7305, 402.731, 409.1757, 409.9205, 414.37, 427.012, 447.203, 447.207, 447.209, s. 447.401, 456.048, 570.07, 601.10, 624.307, 624.437, 627.6488, 627.649, 627.6498, 627.6617, 627.6686, 943.0585, 943.059, 945.043, 946.525, 1001.705, 1001.706, 1001.74, 1002.36, 1012.62, 1012.79, and 1012.88, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

**CS for SB 2580**—A bill to be entitled An act relating to group insurance for public employees; amending s. 112.08, F.S.; requiring that school districts procure certain types of insurance through interlocal agreements; providing an exception; requiring that each school district in this state enter into a specified type of interlocal agreement and establish the School District Insurance Consortium; providing purposes of the consortium; requiring that the consortium be governed by a board of directors consisting of a specified number of members; providing requirements for membership on the board; specifying terms of office for board members; authorizing the board to employ staff or contract for staffing services to be provided to the consortium; requiring that the Department of Management Services provide technical services to the consortium as requested by the board; requiring the consortium to advertise for competitive bids for health, accident, or hospitalization insurance, as well as certain insurance plans; requiring that the contracts for such insurance be let upon the basis of such bids; requiring that the consortium take certain actions and consider certain factors when defining coverage regions; authorizing the awarding of bids on a statewide or regional basis and the selection of multiple insurance providers; requiring that school districts engage in collective bargaining with the certified bargaining agent for any unit of employees for which health, accident, or hospitalization insurance is provided; providing an effective date.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 437; has passed as amended HB 689 and requests the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

By Criminal & Civil Justice Policy Council and Representative(s) Eisnaugle, McKeel, Murzin, Plakon, Renuart, Snyder, Tobia, Weinstein—

**CS for HB 437**—A bill to be entitled An act relating to contingency fee agreements between the Department of Legal Affairs and private attorneys; creating s. 16.0155, F.S.; providing definitions; prohibiting the Department of Legal Affairs of the Office of the Attorney General from entering into a contingency fee contract with a private attorney unless the Attorney General makes a written determination prior to entering into such a contract that contingency fee representation is both cost-effective and in the public interest; requiring that such written determination include certain findings; requiring that the Attorney General, upon making his or her written determination, request proposals from private attorneys to represent the department on a contingency-fee basis unless the Attorney General determines in writing that requesting such proposals is not feasible under the circumstances; providing that the written determination does not constitute a final agency action that is subject to review; providing that the request for proposals and contract award are not subject to challenge under the Administrative Procedure Act; requiring that a private attorney maintain detailed contemporaneous time records with regard to work performed on the matter by any attorneys or paralegals assigned to the matter in specified increments; requiring that a private attorney provide such record to the department upon request; limiting the amount of a contingency fee that may be paid to a private attorney pursuant to a contract with the department; requiring that copies of any executed contingency fee contract and the Attorney General's written determination to enter into such contract be posted on the department's website within a specified period after the date on which the contract is executed; requiring that such information remain posted on the website for a specified duration; requiring that any payment of contingency fees be posted on the department's website within a specified period after the date on which payment of such contingency fees is made to the private attorney; requiring that such information remain posted on the website for a specified duration; requiring that the Attorney General report to the Legislature on the use of contingency fee contracts with private attorneys; providing an effective date.

—was referred to the Committee on Judiciary.

By Representative(s) Aubuchon, Adkins, Grady, Patronis, Plakon, Precourt, Proctor, Stargel, Tobia, Williams, T.—

**HB 689**—A bill to be entitled An act relating to negligence; creating s. 768.0755, F.S.; providing that if a person slips and falls on a transitory foreign substance in a business establishment, the injured person must prove that the business establishment had actual or constructive knowledge of the condition and should have taken action to remedy it; providing that constructive knowledge may be proven by circumstantial evidence; providing that such provisions do not affect any common-law duty of care owed by a person or entity in possession or control of a business premises; repealing s. 768.0710, F.S., relating to the duty to maintain premises and the burden of proof in claims of negligence involving transitory foreign objects or substances; providing an effective date.

—was referred to the Committee on Judiciary.

**RETURNING MESSAGES — FINAL ACTION**

The Honorable Jeff Atwater, President

I am directed to inform the Senate that the House of Representatives has passed SB 176 and CS for CS for SB 1158.

*Robert L. "Bob" Ward, Clerk*

The bills contained in the foregoing messages were ordered enrolled.

**VOTES RECORDED**

Senator Rich was recorded as voting "yea" on the following bills which were considered March 23: **CS for CS for SB 350** and **CS for CS for SB 644**, and voting "yea" on **Amendment 3 (910474)** and **Amendment 4 (468090)** for **CS for CS for SB 6**; and was recorded as voting "nay" on the following bills which were considered this day: **CS for CS for SB 6** and **CS for SB 2126**.

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of March 23 was corrected and approved.

**CO-INTRODUCERS**

Senators Baker—SB 290, CS for SB 464; Hill—SB 154; Lawson—CS for SB 708; Lynn—CS for SB 2482; Siplin—CS for SB 1114, SB 1554; Storms—SM 314, CS for CS for SB 1158, SB 1282, CS for SB 1646; Wise—CS for SB 2482

**RECESS**

On motion by Senator Villalobos, the Senate recessed at 7:36 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Thursday, March 25 or upon call of the President.