



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Atwater at 10:24 a.m. A quorum present—35:

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

PRAYER

The following prayer was offered by Rev. Celeste R. Tisdelle, St. Mary's Episcopal Church, Green Cove Springs. Reverend Tisdelle is the sister of Steven Richardson, aide to Senator Wise:

Almighty God, source of all being, we thank you for the many blessings you have bestowed upon us here in the State of Florida.

We ask that you send down upon those who hold Senate office in this great state, the spirit of wisdom, charity, and justice; that with steadfast purpose they may faithfully serve in their offices to promote the well-being of all people. In your holy name, we pray. Amen.

PLEDGE

Senate Pages Aubrey Hale of Orlando; Wallace "Wally" Martin of Arcadia; Holly Musanto of DeLand; and Alexander "Alex" Tate of Venice,

led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Ron L. Knaus of Largo, sponsored by Senator Jones, as doctor of the day. Dr. Knaus specializes in Psychiatry.

ADOPTION OF RESOLUTIONS

On motion by Senator Hill—

By Senator Hill—

SR 2840—A resolution recognizing the outstanding contribution of Wendell P. Holmes, Jr., to education and to quality of life of the people of Duval County.

WHEREAS, Wendell P. Holmes, Jr., was the first African American elected to a school board in this state and served for 23 years as a member, and 4 years as chairman, of the school board in Duval County, and

WHEREAS, Wendell P. Holmes, Jr., served for 27 years on the Board of Trustees of then-Bethune-Cookman College, 11 of those years as chairman, and has served for 26 years on the Board of Trustees of Hampton University, his alma mater, and

WHEREAS, Wendell P. Holmes, Jr., has served as a member of the Community Development Council of First Union National Bank, the DuPont Community Building Fund Advisory Committee, and the Better Jacksonville Plan Finance Administration Committee, and served as chairperson of the Council of Board Chairs of the Association of Governing Boards of Universities and Colleges, which represents more than 32,000 members at more than 1,700 colleges and universities, and

WHEREAS, Wendell P. Holmes, Jr., is a life member of the Alpha Phi Alpha fraternity and Founding Sire Archon of Gamma Beta Boule of the Sigma Pi Phi fraternity, and

WHEREAS, Wendell P. Holmes, Jr., has received more than 100 awards and recognitions for his support of humanitarian causes and for his community service, including the Distinguished Leadership Award from the United Negro College Fund and the Silver Bell Award for Significant Contributions to Education by the Duval County Classroom Teacher Association, and

WHEREAS, Bethune-Cookman University has recognized his extraordinary service to the community by naming the newly constructed business building in his honor, as has Hampton University, which designated the Wendell P. Holmes, Jr., Men's Dormitory, and

WHEREAS, Wendell P. Holmes, Jr., continues to serve as president of Wendell Holmes Funeral Directors, Inc., in Jacksonville, where he and his wife, Jacquelyne, continue to give back to the community through their sponsorship of the NAACP ACT-SO student competition, and

WHEREAS, of all his accomplishments, Wendell P. Holmes, Jr., says that his proudest are his two children, Wendell P. Holmes, III, and Carolyn Holmes Nesmith, as well as his four grandchildren and two great-grandchildren, NOW, THEREFORE,

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

That the Senate recognizes the outstanding contributions of Wendell P. Holmes, Jr., to education and to the quality of life of the people of Duval County.

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

—was introduced out of order and read by title. On motion by Senator Hill, **SR 2840** was read the second time in full and adopted.

SPECIAL GUEST

Senator Hill presented a copy of the resolution to Dr. Wendell P. Holmes, Jr. who was present in the chamber.

At the request of Senator Ring—

By Senator Ring—

SR 2562—A resolution recognizing May 2010 as “Amyotrophic Lateral Sclerosis Awareness Month” in Florida.

WHEREAS, Amyotrophic Lateral Sclerosis (ALS), better known as Lou Gehrig’s Disease, is a progressive neurodegenerative disease that affects nerve cells in the brain and spinal cord, and

WHEREAS, the early symptoms of ALS include weakness of the skeletal muscles, especially involving the arms and legs, and difficulty in swallowing, talking, and breathing, and

WHEREAS, ALS eventually causes muscles to atrophy, resulting in functional quadriplegia, and

WHEREAS, ALS does not affect an individual’s mental capacity, and he or she remains alert and aware of his or her loss of motor functions and the inevitability of continued deterioration and death, and

WHEREAS, on average, individuals diagnosed with ALS survive only 3 to 5 years after their initial diagnosis, and

WHEREAS, research indicates that military veterans are at least 50 percent more likely to develop ALS than those who have not served in the military, and

WHEREAS, ALS has no known cause, means of prevention, or cure, and

WHEREAS, the recognition of an “Amyotrophic Lateral Sclerosis Awareness Month” increases awareness of the circumstances of ALS patients and the impact of the disease on the patient, his or her family members, and the larger community, and supports the goals of ALS research, which are to find the cause or causes of ALS, to understand the mechanisms involved in the progression of the disease, and to develop effective treatment, NOW, THEREFORE,

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

That May 2010 is recognized as “Amyotrophic Lateral Sclerosis Awareness Month” in Florida.

—**SR 2562** was introduced, read and adopted by publication.

BILLS ON THIRD READING

On motion by Senator Richter, by two-thirds vote **CS for HB 1059** was withdrawn from the Committees on Banking and Insurance; and Governmental Oversight and Accountability.

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

CS for HB 1059—A bill to be entitled An act relating to public records; creating s. 517.2016, F.S.; providing an exemption from public records requirements for information that would reveal examination techniques and procedures used by the Office of Financial Regulation pursuant to the Florida Securities and Investor Protection Act; providing a definition; providing for retroactive application of the public record

exemption; providing an exception to the exemption for other governmental entities having oversight or regulatory or law enforcement authority; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 2230** and read the second time by title.

On motion by Senator Richter, by two-thirds vote **CS for HB 1059** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Bullard, Crist, Diaz de la Portilla

Consideration of **CS for SB 2262** and **SB 1258** was deferred.

On motion by Senator Constantine, by two-thirds vote **CS for CS for CS for HB 303** was withdrawn from the Committees on Regulated Industries; Governmental Oversight and Accountability; and General Government Appropriations.

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

CS for CS for CS for HB 303—A bill to be entitled An act relating to regulation of real estate appraisers and appraisal management companies; amending s. 475.611, F.S.; providing definitions; amending s. 475.613, F.S.; revising the membership of the Florida Real Estate Appraisal Board; amending s. 475.614, F.S.; requiring the board to adopt certain rules; amending s. 475.6147, F.S.; requiring application, registration, and renewal fees for appraisal management companies; creating s. 475.6235, F.S.; requiring appraisal management companies to register with the Department of Business and Professional Regulation; specifying application requirements and procedures; requiring the fingerprinting and criminal history records checks of, and providing qualifications for, certain persons who control appraisal management companies; requiring nonresident appraisal management companies to consent to commencement of actions in this state; requiring the department to adopt rules relating to the renewal of registrations; amending s. 475.624, F.S.; conforming provisions to changes made by the act; creating s. 475.6245, F.S.; providing for the discipline of appraisal management companies by the board; amending s. 475.626, F.S.; providing penalties; conforming provisions to changes made by the act; amending s. 475.629, F.S.; revising requirements for the retention of appraisal records; requiring appraisal management companies to follow such requirements; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB’s 2210 and 1552** as amended and read the second time by title.

On motion by Senator Constantine, by two-thirds vote **CS for CS for CS for HB 303** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Bullard, Crist, Diaz de la Portilla

 The Senate resumed consideration of—

CS for SB 1918—A bill to be entitled An act relating to traffic offenses; creating s. 318.195, F.S.; providing penalties for the commission of a noncriminal traffic infraction or certain other violations that cause or result in the serious injury of a motorcyclist, bicyclist, pedestrian, or person of other means of conveyance; providing enhanced penalties for such violations that cause the death of such person; providing that the victim of a crash that causes death or serious bodily injury or the victim's representative is entitled to certain rights regarding any judicial proceeding relating to the crash; requiring the state attorney to consult the victim or the victim's representative about the disposition of any such case; providing that the act does not prohibit the person from being charged with, convicted of, or punished for any other violation of law; providing an effective date.

—which was previously considered and amended April 26. Pending **Amendment 1 (373254)** by Senator Aronberg was withdrawn.

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

Amendment 2 (108294) (with title amendment)—Delete lines 27-35 and insert: *infraction or violation causes the death of a motorcyclist, bicyclist, pedestrian, or person of other means of conveyance shall pay a fine of \$1,000 and have his or her license revoked for a minimum of 1 year. The person shall also be required by*

And the title is amended as follows:

Delete lines 5-9 and insert: *violations that cause or result in the death of a motorcyclist, bicyclist, pedestrian, or person of other means of conveyance; providing that the victim of a crash that*

Senator Oelrich moved the following amendment:

Amendment 3 (626924)—Delete line 39 and insert: *hours as required by the court. However, the penalties and fines in this subsection do not apply if the motorcyclist is not wearing a helmet.*

On motion by Senator Aronberg, further consideration of **CS for SB 1918** with pending **Amendment 3 (626924)** was deferred.

On motion by Senator Alexander, by two-thirds vote **CS for CS for CS for HB 981** was withdrawn from the Committees on Agriculture; Community Affairs; Finance and Tax; and General Government Appropriations.

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

CS for CS for CS for HB 981—A bill to be entitled An act relating to agriculture; amending s. 193.461, F.S.; clarifying that land classified as agricultural retains that classification when offered for sale under certain circumstances; providing for retroactive application; providing the

methodology for assessing certain structures and improvements used for horticultural production; amending s. 369.20, F.S.; authorizing the Fish and Wildlife Conservation Commission to enter into an agreement with the Department of Environmental Protection for the uniform regulation of pesticides applied to waters of the state; revising exemptions from water pollution permits; amending s. 403.088, F.S.; providing permits for applying pesticides to the waters of the state; requiring the Department of Environmental Protection to enter into agreements with the Department of Agriculture and Consumer Services and the commission for the uniform regulation of pesticides applied to the waters of the state; authorizing temporary deviations from certain rule provisions adopted by the Department of Environmental Protection for certain pesticides under certain conditions; amending s. 487.163, F.S.; requiring the Department of Agriculture and Consumer Services to enter into an agreement with the Department of Environmental Protection for the uniform regulation of pesticides applied to the waters of the state; amending s. 573.112, F.S.; providing that the Citrus Research and Development Foundation shall provide advice to the Department of Agriculture and Consumer Services with respect to citrus research marketing orders, conduct citrus research, and perform other duties assigned by the department; amending s. 573.118, F.S.; providing for the deposit of certain agricultural assessments; revising the assessment rate on citrus fruit; amending s. 581.031, F.S.; expanding the type of research projects that may be conducted by the Department of Agriculture and Consumer Services; amending s. 601.07, F.S.; revising the location of the executive offices of the Department of Citrus; requiring the department and representatives of the state pest control industry to submit a report to the Legislature; requiring that the report include recommendations for changes in the law to provide for disciplinary action against licensees of the pest control industry under certain circumstances; providing that the report may also address additional issues of concern to the department and members of the industry; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 2182** as amended and read the second time by title.

On motion by Senator Alexander, by two-thirds vote **CS for CS for CS for HB 981** was read the third time by title, passed by the required constitutional two-thirds vote of the membership, and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Joyner

Vote after roll call:

Yea—Bullard, Crist, Lawson, Thrasher

DISCLOSURE

I am manager of Blue Head Farms, LLC, which has a range of agricultural interests. **CS for CS for CS for SB 2182** contains amendments that potentially affect the cost of equipment useful in the growing certain types of crops produced by Blue Head Farms, which in turn potentially affects the cost of operation of a portion of Blue Head Farms' business. Therefore, I believe that, in an abundance of caution, I should disclose the above facts pursuant to Senate Rule 1.39.

Senator JD Alexander, 17th District

Consideration of **CS for CS for HB 131** was deferred.

On motion by Senator Gaetz, by two-thirds vote **CS for CS for HB 1033** was withdrawn from the Committee on Transportation.

On motion by Senator Gaetz, the rules were waived and by two-thirds vote—

CS for CS for HB 1033—A bill to be entitled An act relating to road designations; designating Perdido Key Parkway in Escambia County; designating Orange Bowl Way in Miami-Dade County; designating Colonel Bud Day Boulevard in Okaloosa County; designating Pastor Wilner Maxi Street, Bishop Dr. Randall & Prophetess Sharlene Holts Street, Pastor Dr. Carl Johnson Street, Haitian/American Historical Society Street, Center for Haitian Studies Street, and Eufaula Frazier Street in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—a companion measure, substituted for **CS for SB 1948** as amended and by two-thirds vote read the second time by title.

On motion by Senator Gaetz, by two-thirds vote **CS for CS for HB 1033** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Bullard

Consideration of **CS for CS for SB 570** was deferred.

On motion by Senator Peaden, by two-thirds vote **CS for HB 7103** was withdrawn from the Committees on Agriculture; Community Affairs; Finance and Tax; and General Government Appropriations.

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

CS for HB 7103—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting a county from enforcing certain limits on the activity of a bona fide farm operation on agricultural land under certain circumstances; prohibiting a county from charging agricultural lands for stormwater management assessments and fees under certain circumstances; allowing an assessment to be collected if credits against the assessment are provided for implementation of best management practices; providing exemptions from certain restrictions on a county's powers over the activity on agricultural land; providing a definition; providing for application; creating s. 163.3163, F.S.; creating the "Agricultural Land Acknowledgement Act"; providing legislative findings and intent; providing definitions; requiring an applicant for certain development permits to sign and submit an acknowledgement of certain contiguous agricultural lands as a condition of the political subdivision issuing the permits; specifying information to be included in the acknowledgement; requiring that the acknowledgement be recorded in the official county records; authorizing the Department of Agriculture and Consumer Services to adopt rules; amending s. 205.064, F.S.; authorizing a person selling certain agricultural products who is not a natural

person to qualify for an exemption from obtaining a local business tax receipt; amending s. 322.01, F.S.; revising the term "farm tractor" for purposes of drivers' licenses; amending s. 604.15, F.S.; revising the term "agricultural products" to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; exempting farm fences from the Florida Building Code; revising the term "nonresidential farm building"; exempting non-residential farm buildings and farm fences from county and municipal codes and fees; specifying that the exemptions do not apply to code provisions implementing certain floodplain regulations; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that may be disposed of by open burning; providing certain limitations on open burning; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2074** and read the second time by title.

On motion by Senator Peaden, by two-thirds vote **CS for HB 7103** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Bullard

CS for CS for CS for SB 212—A bill to be entitled An act relating to claims by law enforcement and correctional officers; amending s. 30.2905, F.S.; providing for interpretation of provisions relating to workers' compensation benefits for certain services performed by off-duty deputy sheriffs; providing for recovery by sheriffs of increased workers' compensation expenses due to off-duty employment of deputy sheriffs; amending s. 112.18, F.S.; providing conditions under which a law enforcement officer, correctional officer, or correctional probation officer who suffers from a specified medical condition and has materially departed from the prescribed treatment for that condition shall lose a specified presumption for workers' compensation claims made on or after a specified date; defining the term "prescribed course of treatment"; providing for independent medical examinations in certain situations; providing that only claims made before leaving employment are eligible for a specified presumption; providing an effective date.

—was read the third time by title.

MOTION

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

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

Amendment 1 (845808)—Delete line 41 and insert: *a public or private employer.*

On motion by Senator Oelrich, **CS for CS for CS for SB 212** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Justice

Vote after roll call:

Yea—Bullard

Consideration of **SB 340** was deferred.

CS for SB 448—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the “Florida Ban on Texting While Driving Law”; providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; providing a definition; providing exceptions; specifying information admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver’s license for the unlawful use of a wireless communications device resulting in a crash; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for SB 448** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—4

Garcia	Negron	Oelrich
Villalobos		

Vote after roll call:

Yea—Bullard

The Senate resumed consideration of—

CS for CS for SB 482—A bill to be entitled An act relating to transportation; creating the “Highway Safety Act”; providing legislative intent relating to road rage and aggressive careless driving; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver’s license educational materials; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; specifying the allocation of moneys received from the increased fine imposed for aggressive careless driving; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; amending s. 318.1451, F.S.; requiring driver improvement schools to collect a fee from certain persons taking a basic driver improvement course; providing for such fees to be used to provide signage and educational materials relating to the act; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; providing for the disposition of the increased penalties; amending s. 322.05, F.S.; requiring certain persons under 19 years of age to complete a basic driver improvement course before being issued a driver’s license; providing an exception; creating s. 335.199, F.S.; directing the Department of Transportation to notify certain property owners and local governmental entities of certain proposed projects before finalizing the design of certain transportation projects; providing a timeframe for notification; requiring the department to hold a public hearing and receive public input regarding the effects of the project on local businesses; directing the department to consider the comments in the final design of the project; amending s. 316.003, F.S.; redefining the term “electric personal assistive mobility device” to include additional devices for transporting one person; amending s. 316.008, F.S.; authorizing local governments to regulate certain vehicles and other motorized devices operating on sidewalks; amending s. 316.1995, F.S.; conforming provisions to changes made by the act; exempting motorized wheelchairs from certain ordinances; amending s. 316.212, F.S.; authorizing local governments to enact ordinances permitting the use of golf carts on sidewalks; amending s. 316.2128, F.S.; conforming provisions relating to notices required to be displayed by certain sellers of motorized scooters and motorcycles; amending s. 319.241, F.S.; revising provisions relating to an application for the removal of a lien from the files of the Department of Highway Safety and Motor Vehicles or from the certificate of title; authorizing the department to remove the lien from its files within a specified period after receiving an application for a derelict motor vehicle certificate and notification to the lienholder, unless a written statement protesting such removal is received; amending s. 319.30, F.S.; revising certain definitions; revising requirements for disposition of a motor vehicle, recreational vehicle, or mobile home that is sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; requiring certificates of title to conform to specified provisions; providing for the dealer or recycler to apply to the Department of Highway Safety and Motor Vehicles for a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; requiring the derelict motor vehicle certificate application to be completed by the seller or owner of the motor vehicle or mobile home, the seller’s or owner’s authorized transporter, or the dealer or recycler; requiring certain identification information be included with the application; revising the types of documentation that a secondary metals recycler must obtain; permitting recyclers to obtain salvage certificates of title from sellers or owners as a valid method of documentation; providing that a person engaged in the business of recovering, towing, or storing vehicles may not claim certain liens, claim that certain vehicles have remained on any premises after tenancy has terminated, or use the derelict motor vehicle certificate application to transport, sell, or dispose of a motor vehicle at a salvage motor vehicle dealer or metal recycler without otherwise obtaining title to the vehicle or a certificate of destruction; requiring that the department accept all properly endorsed and completed derelict motor vehicle certificate applications and issue such certification having an effective date that authorizes when the vehicle is eligible for dismantling or destruction; requiring that such electronic information be stored and made available to authorized persons; requiring that all licensed salvage motor vehicle dealers or registered secondary metals recyclers make all payments for the purchase of any derelict motor vehicle that is sold by a seller who is

not the owner of record by check or money order; providing an effective date.

—which was previously considered and amended April 26.

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

Amendment 1 (742494) (with title amendment)—Delete lines 248-305 and insert:

Section 8. Section 318.19, Florida Statutes, is amended to read:

318.19 Infractions requiring a mandatory hearing.—Any person cited for the infractions listed in this section shall not have the provisions of s. 318.14(2), (4), and (9) available to him or her but must appear before the designated official at the time and location of the scheduled hearing:

- (1) Any infraction which results in a crash that causes the death of another;
- (2) Any infraction which results in a crash that causes “serious bodily injury” of another as defined in s. 316.1933(1);
- (3) Any infraction of s. 316.172(1)(b);
- (4) Any infraction of s. 316.520(1) or (2); ~~or~~
- (5) Any infraction of s. 316.183(2), s. 316.187, or s. 316.189 of exceeding the speed limit by 30 m.p.h. or more; *or*-
- (6) *A second or subsequent infraction of s. 316.1923(1).*

And the title is amended as follows:

Delete lines 21-33 and insert: amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; providing for the disposition of the increased penalties; creating s. 335.199,

On motion by Senator Bennett, **CS for CS for SB 482** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30

Mr. President	Diaz de la Portilla	Rich
Alexander	Dockery	Richter
Altman	Gaetz	Ring
Aronberg	Gardiner	Siplin
Baker	Gelber	Smith
Bennett	Hill	Sobel
Constantine	Jones	Storms
Crist	Lawson	Thrasher
Dean	Oelrich	Wilson
Detert	Peaden	Wise

Nays—6

Fasano	Justice	Negron
Garcia	Lynn	Villalobos

Vote after roll call:

Yea—Bullard, Haridopolos, Joyner

Nay to Yea—Lynn

HB 11—A bill to be entitled An act relating to crimes against homeless persons; amending s. 775.085, F.S.; reclassifying offenses evidencing prejudice based on the homeless status of the victim; providing a definition; providing an effective date.

—was read the third time by title.

SENATOR FASANO PRESIDING

On motion by Senator Ring, **HB 11** was passed and certified to the House. The vote on passage was:

Yeas—25

Altman	Gardiner	Richter
Aronberg	Gelber	Ring
Bennett	Haridopolos	Smith
Constantine	Hill	Sobel
Crist	Joyner	Storms
Dean	Justice	Wilson
Detert	Lawson	Wise
Diaz de la Portilla	Lynn	
Fasano	Rich	

Nays—10

Baker	Jones	Thrasher
Dockery	Negron	Villalobos
Gaetz	Oelrich	
Garcia	Peaden	

Vote after roll call:

Yea—Alexander, Bullard

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

reports; authorizing the Department of Community Affairs to seek a writ of certiorari; amending s. 195.087, F.S.; requiring the final approved budget of the property appraiser and tax collector to be posted on their respective website or, if not available, the county's website; amending s. 218.32, F.S.; revising the schedule for submitting a local governmental entity's audit and annual financial reports to the Department of Financial Services; requiring the department to notify the Special District Information Program if it does not receive a financial report from a local government entity; requiring a local governmental entity to provide a link to the entity's financial report on the department's website; amending s. 218.35, F.S.; requiring the budget for certain county-related duties to be itemized in accordance with the uniform accounting system of the Department of Financial Services; specifying the level of detail for each fund in the clerk of the court's budget; requiring the court clerk's approved budget to be posted on the county's website; amending s. 218.39, F.S.; revising the timeframe for completing a local governmental entity's annual financial audit; requiring that an auditor prepare an audit report; requiring that such report be filed with the Auditor General within a specified time; requiring that the Auditor General notify the Legislative Auditing Committee of any audit report indicating that an audited entity has failed to take corrective action; requiring that the chair of a local governmental entity appear before the committee under certain circumstances; amending s. 218.503, F.S.; revising provisions relating to oversight by the Governor when an entity's financial statements show it cannot cover a deficit of funds; amending s. 373.536, F.S.; requiring that water management district budgets be posted on the district website; amending s. 1011.03, F.S.; requiring the summary of the tentative budget, the tentative budget, and the budget of a district school board to be posted on the website of the district or related county; amending s. 1011.051, F.S.; revising provisions relating to the guidelines for district school boards to maintain an ending fund balance for the general fund; amending s. 1011.64, F.S.; revising obsolete accounting terminology; providing an effective date.

—as amended April 26 was read the third time by title.

On motion by Senator Dean, **CS for CS for SB 690** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Bullard

Consideration of **CS for HB 1551** was deferred.

HB 7037—A bill to be entitled An act relating to education; amending s. 413.20, F.S.; redefining and deleting terms relating to vocational rehabilitation programs; replacing an obsolete term; amending s. 413.30, F.S.; revising provisions relating to eligibility for vocational rehabilitation services; providing for an individualized plan for employment; requiring the Division of Vocational Rehabilitation in the Department of Education to conduct trial work experiences before determining that an individual is incapable of benefiting from services; requiring the division to refer an individual to other services if the division determines that the individual is ineligible for vocational rehabilitation services; requiring the division to serve those having the most significant disabilities first

under specified circumstances; conforming provisions to changes made by the act; amending s. 413.341, F.S.; allowing confidential records to be released for audit, program evaluation, or research purposes; amending s. 413.371, F.S.; requiring the division to administer an independent living program; conforming provisions to changes made by the act; repealing the division's authority to contract for specified services; amending s. 413.393, F.S.; correcting references and conforming provisions to changes made by the act; amending s. 413.40, F.S.; revising the division's powers to administer the independent living program; authorizing the division to employ specified individuals and to contract for services in accordance with the state plan for independent living; conforming provisions to changes made by the act; amending s. 413.405, F.S.; revising the membership of the Florida Rehabilitation Council; providing that Department of Education employees may serve only as nonvoting members; revising provisions relating to terms of office; revising council functions; correcting references and replacing obsolete cross-references; amending s. 413.407, F.S.; correcting a reference; repealing s. 413.206, F.S., relating to a 5-year plan for the division; repealing s. 413.39, F.S., relating to administration of the independent living program; repealing ss. 413.70 and 413.72, F.S., relating to the limiting disabilities program; repealing s. 413.73, F.S., relating to the disability assistance program; repealing s. 1013.05, F.S., relating to the Office of Educational Facilities and SMART Schools Clearinghouse; amending ss. 163.31777, 1001.20, and 1013.04, F.S.; deleting obsolete references; amending s. 1013.21, F.S.; deleting obsolete references; requiring the Office of Educational Facilities in the Department of Education to monitor district facilities work programs; amending ss. 1013.33 and 1013.35, F.S.; deleting obsolete references; amending s. 1013.41, F.S.; deleting obsolete references; requiring the Office of Educational Facilities to assist school districts in building SMART schools; amending s. 1013.42, F.S.; deleting obsolete references; specifying criteria for the prioritization of School Infrastructure Thrift Program awards; amending s. 1013.72, F.S.; revising the cost per student station for purposes of School Infrastructure Thrift Program awards; deleting obsolete references; amending s. 1013.73, F.S.; deleting an obsolete reference; requiring the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to make conforming changes to address past legislation amending terminology relating to the Florida College System; repealing s. 1004.87, F.S., relating to Florida College System Task Force; repealing s. 1002.335, F.S., relating to the Florida Schools of Excellence Commission; amending s. 1002.33, F.S.; conforming provisions to changes made by the act; repealing s. 1003.413(5), F.S., relating to the Secondary School Improvement Award Program; repealing s. 1003.62, F.S., relating to academic performance-based charter school districts; amending ss. 1011.69 and 1013.64, F.S.; conforming provisions to changes made by the act; repealing ss. 1003.63 and 1008.345(7), F.S., relating to the deregulated public schools pilot program; amending s. 1004.68, F.S.; conforming a cross-reference; repealing s. 1006.67, F.S., relating to the reporting of campus crime statistics; amending s. 1013.11, F.S.; conforming provisions to changes made by the act; repealing ss. 1009.63 and 1009.631, F.S., relating to the occupational therapist or physical therapist critical shortage program; repealing s. 1009.632, F.S., relating to the Critical Occupational Therapist or Physical Therapist Shortage Student Loan Forgiveness Program; repealing s. 1009.633, F.S., relating to the Critical Occupational Therapist or Physical Therapist Shortage Scholarship Loan Program; repealing s. 1009.634, F.S., relating to the Critical Occupational Therapist or Physical Therapist Shortage Tuition Reimbursement Program; repealing s. 1009.64, F.S., relating to the Certified Education Paraprofessional Welfare Transition Program; amending ss. 1009.40 and 1009.94, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **HB 7037** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Justice	Rich	Storms
Lawson	Richter	Thrasher
Lynn	Ring	Villalobos
Negron	Siplin	Wilson
Oelrich	Smith	Wise
Peaden	Sobel	

Nays—None

Vote after roll call:

Yea—Bullard

CS for HB 889—A bill to be entitled An act relating to biomedical research; repealing s. 381.0404, F.S., relating to the Center for Health Technologies; repealing s. 381.85, F.S., relating to the Florida Biomedical and Social Research Act; amending s. 381.855, F.S., relating to the Florida Center for Universal Research to Eradicate Disease; revising advisory council membership to conform to changes made by the act; repealing s. 381.912, F.S., relating to the Cervical Cancer Elimination Task Force; repealing s. 381.92, F.S., relating to the Florida Cancer Council; transferring and amending s. 381.921, F.S., relating to Florida Cancer Council mission and duties to conform to changes made by the act; amending s. 381.922, F.S., relating to the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program, to conform to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for HB 889** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Bullard

CS for CS for HB 325—A bill to be entitled An act relating to uniform traffic control; providing a short title; amending s. 316.003, F.S.; defining the term “traffic infraction detector”; creating s. 316.0076, F.S.; preempting to the state the use of cameras to enforce traffic laws; amending s. 316.008, F.S.; authorizing counties and municipalities to use traffic infraction detectors under certain circumstances; creating s. 316.0083, F.S.; creating the Mark Wandall Traffic Safety Program; authorizing the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use a traffic infraction detector to identify a motor vehicle that fails to stop at a traffic control signal steady red light; requiring authorization of a traffic infraction enforcement officer to issue and enforce a citation for such violation; requiring notification to be sent to the registered owner of the motor vehicle involved in the violation; requiring the notification to include certain information about the owner’s right to review evidence; providing requirements for the notification; providing for collection of penalties; providing for distribution of penalties collected; providing that an individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a traffic infraction detector and a manufacturer or vendor may not receive a fee or remuneration based upon the number of violations

detected through the use of a traffic infraction detector; providing procedures for issuance, disposition, and enforcement of citations; providing for exemptions; providing that certain evidence is admissible for enforcement; providing penalties for submission of a false affidavit; prohibiting the use of such detectors to enforce a violation when a driver fails to stop prior to making a right or left turn; providing that the act does not preclude the issuance of citations by law enforcement officers; requiring reports from participating municipalities and counties to the department; requiring the department to make reports to the Governor and Legislature; amending s. 316.0745, F.S.; revising a provision that requires certain remotely operated traffic control devices to meet certain specifications; creating s. 316.07456, F.S.; requiring traffic infraction detectors to meet specifications established by the Department of Transportation; providing that a traffic infraction detector acquired by purchase, lease, or other arrangement under an agreement entered into by a county or municipality on or before a specified date is not required to meet the established specifications until a specified date; creating s. 316.0776, F.S.; providing for the placement and installation of detectors on certain roads when permitted by and under the specifications of the department; requiring that if the state, county, or municipality installs a traffic infraction detector at an intersection, the state, county, or municipality shall notify the public that a traffic infraction device may be in use at that intersection; requiring that such signage posted at the intersection meet the specifications for uniform signals and devices adopted by the Department of Transportation; requiring that traffic infraction detectors meet specifications established by the Department of Transportation; requiring a public awareness campaign if such detectors are to be used; amending s. 316.640, F.S.; requiring the Department of Transportation to develop training and qualification standards for traffic infraction enforcement officers; authorizing counties and municipalities to use independent contractors as traffic infraction enforcement officers; amending s. 316.650, F.S.; requiring a traffic enforcement officer to provide to the court a replica of the citation data by electronic transmission under certain conditions; amending s. 318.14, F.S.; providing an exception from provisions requiring a person cited for an infraction for failing to stop at a traffic control signal steady red light to sign and accept a citation indicating a promise to appear; amending s. 318.18, F.S.; increasing certain fines; providing for penalties for infractions enforced by a traffic infraction enforcement officer; providing for distribution of fines; allowing the clerk of court to dismiss certain cases upon receiving documentation that the uniform traffic citation was issued in error; providing that an individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a traffic infraction detector and a manufacturer or vendor may not receive a fee or remuneration based upon the number of violations detected through the use of a traffic infraction detector; creating s. 321.50, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to use traffic infraction detectors under certain circumstances; amending s. 322.27, F.S.; providing that no points may be assessed against the driver’s license for infractions enforced by a traffic infraction enforcement officer; providing that infractions enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates; requiring the retention of certain penalty proceeds collected prior to the Department of Revenue’s ability to receive and distribute such funds; providing an appropriation and for carryforward of any unexpended balance; providing for severability; providing effective dates.

—was read the third time by title.

THE PRESIDENT PRESIDING

SENATOR FASANO PRESIDING

On motion by Senator Altman, **CS for CS for HB 325** was passed and certified to the House. The vote on passage was:

Yeas—30

Alexander	Dean	Hill
Altman	Detert	Jones
Aronberg	Diaz de la Portilla	Joyner
Baker	Fasano	Lawson
Bennett	Gardiner	Lynn
Constantine	Gelber	Oelrich
Crist	Haridopolos	Peaden

Rich	Siplin	Thrasher
Richter	Smith	Wilson
Ring	Sobel	Wise

Nays—7

Dockery	Justice	Villalobos
Gaetz	Negron	
Garcia	Storms	

Vote after roll call:

Yea—Mr. President

Nay—Bullard

MOTION

On motion by Senator Villalobos, the rules were waived and time of recess was extended until 12:30 p.m.

CS for HB 1551—A bill to be entitled An act relating to the Black Business Investment Board, Inc.; amending s. 288.707, F.S.; deleting a description of the board as a public-private entity; requiring the board to assist the Office of Tourism, Trade, and Economic Development in creating a long-range strategic policy for the Black Business Loan Program; revising the entities with whom the board may create partnerships for the development and expansion of black business enterprises; revising the membership of the board of directors; providing for certain members to be ex officio, nonvoting members; revising requirements for the selection, removal, and terms of the chair and vice chair; amending s. 288.709, F.S.; requiring that upon dissolution of the board, an asset that was not acquired through the use of state funds be returned to the donor who provided the asset or the funding or resources to acquire the asset; amending s. 288.7091, F.S.; requiring the board to aid the development and expansion of black business enterprises by leveraging federal, state, local, and private funds; requiring the board to collaborate with agencies of the federal, state, and local governments, private entities, nonprofit organizations, and national organizations; amending s. 288.7102, F.S.; revising the dates by which applications for loans from the Black Business Loan Program must be received and processed by the Office of Tourism, Trade, and Economic Development; revising eligibility requirements for new and existing program recipients; revising the date by which the Office of Tourism, Trade, and Economic Development must distribute appropriations to program recipients; deleting provisions providing for the board to recommend the certification of eligible recipients for loans; revising the percentages of program funds that a program recipient may use for technical support for black business enterprises or direct administrative costs; amending s. 288.71025, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to bring a civil action against an entity that unlawfully holds itself out as a black business investment corporation; amending s. 288.712, F.S.; deleting a provision relating to the black contractors bonding program, which requires the board to provide assistance to the Office of Supplier Diversity within the Department of Management Services; amending s. 288.714, F.S.; requiring that recipients of loans from the Black Business Loan Program provide quarterly reports to the Office of Tourism, Trade, and Economic Development; requiring that the Office of Tourism, Trade, and Economic Development compile a summary of quarterly reports from loan recipients and provide a copy of the summary to the board; requiring that the Office of Tourism, Trade, and Economic Development and the board provide annual reports to the Governor and Legislature by a certain date; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **CS for HB 1551** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Aronberg	Constantine
Alexander	Baker	Crist
Altman	Bennett	Dean

Detert	Jones	Ring
Diaz de la Portilla	Joyner	Siplin
Dockery	Justice	Smith
Fasano	Lawson	Sobel
Gaetz	Lynn	Storms
Garcia	Negron	Thrasher
Gardiner	Oelrich	Villalobos
Gelber	Peaden	Wilson
Haridopolos	Rich	Wise
Hill	Richter	

Nays—None

Vote after roll call:

Yea—Bullard

THE PRESIDENT PRESIDING**RECOGNITION OF SENATOR VILLALOBOS****SPECIAL PRESENTATION**

The President presented Senator Villalobos with a framed copy of the Jimmy Ryce Act in recognition of his service with the Florida Senate and to the State of Florida.

President Atwater: Senator Villalobos is a passionate family man, brilliant lawyer, expert of parliamentary procedure, and legislative mentor. Senator, you are the epitome of a citizen legislator, bringing to the process your experience and knowledge of the criminal justice and judicial system. You have channeled your knowledge and understanding of the court system to championing legislation that protects Floridians from criminal activity, properly disciplines illegal behavior, and provides individuals with a chance for rehabilitation.

Your compassionate heart, passion for justice and knowledge and understanding of the criminal justice system led you to sponsor policies to protect evidence, such as SB 186 relating to DNA testing. Collecting and preserving DNA evidence has led to innocent individuals being freed. Today we particularly want to honor your passion for protecting Floridians from perpetrators of evil by presenting you with a framed copy of the historic Jimmy Ryce Act.

One cannot talk about Senator Villalobos without thinking of his father, Pepe. We all owe Pepe Villalobos a debt of gratitude for the role he played in shaping his son. Senator Villalobos, you are an example of what it means to honor thy father and mother.

Senator Villalobos, the members who have had the honor of serving with you will always remember and appreciate your bipartisan commitment to your colleagues, working with them, mentoring new members, and ensuring every member has the opportunity to be successful. New members will not have this opportunity they don't know what they're missing.

Senator Villalobos: Thank you, Mr. President. First I would like to take this opportunity to thank God Almighty, maker of heaven and earth and of things seen and unseen, for many reasons: for the life he gave me, for the air I breathe, for the water I drink and particularly for this great country that he allowed me the privilege of being born into. What a privilege it is for me to have been born an American—land of the free and the home of the brave; a land that opened its doors to my grandparents and my parents. Words cannot express the gratitude that I feel for this country and this state. Everything that I am today is because of that.

The community where I grew up and that I love so much inspired my steadfast resolve to protect public education. I am a product of public education. I attended public schools my entire life until I went to college. That is why I feel the way that I do, and am willing to put everything on the line for those teachers, not to mention that I married one.

My mom and dad are my moral compass. My constituents trusted me and sent me here 18 years ago. I went door-to-door collecting signatures,

and I promised them that I would try and do my best. I kept that promise. I don't know if it was always for the best, but I tried. I learned many things from many people. I learned how government works. When I was first elected, I remember my good friend Miguel Arturo as we went to the Florida House. We walked into an office that I was assigned, we closed the door and looked at each other and said to each other, "Now what?" We really had no idea what happens next. Is somebody going to come here? Is somebody going to tell us something? Do we have to go some place? What do we do? I couldn't find my way. I was a minority in the minority party. I couldn't find my way to the office, so I got a little napkin and dropped little pieces along the halls and the funny thing was, a week later, they were still there. I could still find my way.

I've had an opportunity to meet some really great people. I've made some lifelong friends. I would like to just mention a few of them. Not all, but just a few. Rudy Garcia: when I think of Rudy, I think of perseverance. That's how I describe you, Rudy. My good friend, Victor: Victor, I'm really sorry that I missed your goodbye yesterday. You're not supposed to pick up hitchhikers, but I'm glad I did. Victor, you are steadfast. That's what you are. Lee, you're persistent and persistence pays off. That is a valuable lesson. Larcenia is not here and I'm really sorry that she isn't here. Larcenia tells me that everyone counts. She is absolutely right. Ronda, you go girl! Daniel: the blood has reached the river's edge. Nancy's a warrior. Dennis, you've taught me two things: number one, you are a true gentleman; number two, what goes around, comes around. Evelyn, you have patience. Boy, do I need help there. Durell, quail fly very, very fast, but not fast enough. John, two things: number one, never want something so bad and number two, there will be another day. Paula you are loyal.

I've had the opportunity to work with great people over the years. Back home, Miguel, Norma, Vicky, Nanea and Sonia. Up here, Shane helps me out. I've had the opportunity to work with great staff. Truly the most intelligent, knowledgeable, and decent people I have ever had the opportunity to work with, the staff of the Florida Senate. Tim, who is not here today. Sergeant, who is thinking about the donuts tomorrow. Phil, what a pleasure it is to work with you. I really mean that. Eric, you are a brilliant attorney. Amanda, what can I say? Susan Skelton and the ladies in Rules—I know that they say that the Appropriations staff works hard, but that's because they've never been in Rules. I really appreciate what you do. Susan, "más sabe el diablo por viejo que por diablo." David Coburn, if I had to choose a meaning for David Coburn, I would say that he is the true professional.

For everything there is a season, and this is my season to go. I would like to say that if I've been mean to some of you, I apologize. I've always tried to be fair. I've always tried to tell you the things as I thought that the law wanted them to be, or stated it should be. You will see that I will often help you. Thad, I didn't like your bill. But I tried to make it the best bill that I could, and then I voted "no." I think that I've been honest when I told them where I stood on something. I'm glad to have helped.

Before I do go, I would like to make two special thank yous. One to my daughter, Katie, of whom I am so proud. She is my reason for living. The other one is for my wife, Barbie. She is my rock and my soul mate.

Before I leave, I would like to leave you with a thought. Václav Havel fought communism in Czechoslovakia for many years. He said, "The real test of a man is not when he plays the role that he wants for himself, but when he plays the role that destiny has for him." I believe that. I love you all. Vaya con Dios.

MOTION

On motion by Senator Aronberg, the rules were waived and time of recess was extended until the completion of remarks and motions.

President Atwater: Senator Villalobos, I would like to add some final thoughts if you wouldn't mind. Many of you members know my love for baseball. There is a story that three umpires were having, as Senator King might have said, an adult beverage after the game. They were sitting together and after a little silence, one said to the other two, "When it comes to balls and strikes, I call them as I see them." The other two nodded, and, after some moments of silence went by, the second one said, "When it comes to balls and strikes, I call them as they are," and the others nodded. After some silence, the third said, "When it comes to balls and strikes, they are neither until I call them."

When it comes to a phone call that I made 18 months ago, I would admit to you, I walked around the house over and over and over again, because frankly, I didn't know what the reaction would be on the other end of the line. So, I waited and I thought, and I waited and I thought. I called Senator Villalobos with a question, and you don't need to know it all, but I can tell you, I have never received such kindness and goodness, such generosity and support than I had on that phone call. I asked one question, and the answer was yes.

Now, for the last 18 months I have wondered how many times he was asked to make the call. Every bill that was referenced, every point of order called, every Committee Substitute reviewed—they were nothing until he called them. There were times when he called them in my office and, I said, "Let me make the phone call," like the very first bill we referenced, putting six references on Senator King's bill. He said, "No, it's my job." Or, in all of those meetings saying to me, "That is a lot of references, but give me a couple of days. I'll go see that Senator and I will show them how we can work this out," and he did.

I know the depth of the friendships he holds with a few of you in this room. You are a friend to all, but some of your relationships are uniquely special. When he came to me and told me what his call was going to be, I said again, let me deliver the message. He said, "No, I make the call." Senators, if it's worked, if we have come together, if we have done good things for the people of Florida, if we have focused on the policy at hand, and not the issues between us, it happened because on one call he said, "Yes." Forever and a day, Senator, I will thank you for saying yes. Thank you.

RECESS

On motion by Senator Aronberg, the Senate recessed at 12:54 p.m. to reconvene at 2:00 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by President Atwater at 2:32 p.m. A quorum present—37:

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

BILLS ON THIRD READING

Consideration of **CS for SB 2448** was deferred.

CS for SB 2584—A bill to be entitled An act relating to handbill distribution; amending s. 509.144, F.S.; revising definitions; providing additional penalties for the offense of unlawfully distributing handbills in a public lodging establishment; specifying that certain items used in committing such offense are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant when there is probable cause to believe the person violated s. 509.144, F.S., and where the owner or manager of the public lodging establishment signs an affidavit containing information supporting the determination of probable cause; amending s. 932.701, F.S.; revising the definition of the term "contraband"; providing that the terms and provisions of the act do not affect or impede the provisions of a specified state statute or any protection or right guaranteed by the Second Amendment to the United States Constitution; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for SB 2584** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Negron

Vote after roll call:

Yea—Bullard

Consideration of **CS for SB 1126** was deferred.

CS for CS for SB 1952—A bill to be entitled An act relating to water management districts; amending s. 373.1961, F.S.; authorizing water management districts to use certain moneys in the Water Protection and Sustainability Program Trust Fund for water resource development projects; amending s. 373.0693, F.S.; revising provisions relating to the membership of basin boards; specifying the terms of service for basin board members designated by district governing board chairs; providing that basin board members designated by district governing board chairs are voting members and counted for quorum purposes; providing for designated district governing board members to serve as basin board chairs and co-chairs; providing that a quorum of remaining members may conduct business if there is a vacancy on the board; revising provisions relating to the membership of the Manasota Basin Board; providing for the designation of a member of the district governing board to serve on the basin board; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; amending s. 373.228, F.S.; revising legislative intent relating to landscape irrigation restrictions; providing that local governments may adopt restrictions set forth in district rules or orders; providing an effective date.

—as amended April 26 was read the third time by title.

On motion by Senator Detert, **CS for CS for SB 1952** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Bullard, Joyner

CS for SB 2448—A bill to be entitled An act relating to vehicle operation; amending s. 316.003, F.S.; redefining the term “electric personal assistive mobility device” to include additional devices for transporting one person; amending s. 316.008, F.S.; authorizing local governments to regulate certain vehicles and other motorized devices operating on sidewalks; amending s. 316.1995, F.S.; conforming provisions to changes made by the act; exempting motorized wheelchairs from certain ordinances; amending s. 316.212, F.S.; authorizing local governments to enact ordinances permitting the use of golf carts on sidewalks; amending s. 316.2128, F.S.; conforming provisions relating to notices required to be displayed by certain sellers of motorized scooters and motorcycles; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **CS for SB 2448** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Lynn

Vote after roll call:

Yea—Bullard

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Fasano, by two-thirds vote **CS for SB 1144** was withdrawn from the Committee on Transportation and Economic Development Appropriations.

SPECIAL GUEST

The President recognized former Lieutenant Governor Frank Brogan, the Chancellor of the State University System, who was present in the gallery.

RECOGNITION OF SENATOR LAWSON

SPECIAL PRESENTATION

The President presented Senator Lawson with a framed copy of HB 591, from 1994, the legislation to compensate and create a scholarship for the descendants of the families of the Rosewood Massacre, in recognition of his service with the Florida Senate and to the State of Florida.

President Atwater: Leader Lawson is the longest, consecutively serving legislator in the legislature today—having served 28 years. The Senate will not be the same now that we are losing the final two members of the original Panhandle triplets. Leader, you are the epitome of

fairness, justice, and kindness—the Florida Legislature’s gentle giant—a true statesman. Senator Lawson’s dedicated work on behalf of state workers, his commitment to good public policy and the legislative process—working with colleagues on both sides of the aisle, his knowledge of complex issues such as insurance, governmental operations, and love for Florida’s environment will be sorely missed.

A champion and original sponsor of Preservation 2000 and the Florida Forever Program, your love for Florida extends beyond the oyster bays of Apalachicola to as far south as the Everglades. Senator Lawson, you have worked tirelessly to preserve and restore Florida’s unique and precious ecosystems.

His leadership on issues is not limited to the environment. Senator Lawson’s commitment to fairness, to treating everyone with respect, listening to all sides, and supporting those who have no voice are well known. Senator Lawson’s commitment to fairness and justice does not waver; it has no time limit. In 1923, a racially-motivated riot occurred in the peaceful town of Rosewood leaving at least eight dead and a community destroyed. The peaceful occupants of Rosewood fled and for decades the town remained abandoned, the former citizens scattered, families of those that lost their lives in that horrific event were left to grieve without justice. A testament to Senator Lawson’s commitment to justice and being the voice of the voiceless—he sponsored HB 591 in 1994, 71 years after that terrible day in Florida’s history, compensating and creating a college scholarship for the descendants of the families of the Rosewood Massacre.

Senator Lawson, today we honor your commitment to justice and fairness by presenting you with a framed copy of HB 591. Thank you Senator Lawson for never wavering or tiring in your pursuit of justice, fairness. Thank you for being an example of a true statesman. Florida is a better place because of your service.

Senator Lawson: Thank you very much, Mr. President. I’m happy that the Sergeant has unveiled this portrait. Mr. President, this portrait was also done by someone from Japan. I looked around the chamber and I didn’t see anyone with a tan as dark as mine. I told the Sergeant that I was going to bring this portrait into the chamber because we need to move someone else back again. I think I deserve to be up on that wall. I have always wanted to be Senate President. So, ladies and gentlemen, you will all get a chance to marvel at it the way you have at the President’s. It is a portrait of quality. They didn’t have me sit for it, they just did it.

I would like to say to the guy up there that it’s been a long ride. You know, I feel like a song by Sam Cooke, “I was born by the river in a little tent; and just like the river I’ve been running ever since.” It’s been a long time coming, but I know my change is going to come. It’s interesting that the President would honor Rosewood. I need to say to the members, a lot of members don’t know, that, where I grew up in Gadsden County, it was a very segregated environment. The textbooks that I had had pages torn out, with writing all through the books. The reason this bill is so important to me, is that when my mother took me to the doctor, if we went in at nine o’clock, we would have to wait all day, go to lunch and come back, and they would see all of the white patients before they would see us. Sometimes, it would be dark, late in the afternoon at five or six o’clock, and by then the doctor was pretty tired. He wouldn’t want to take up very much time with us. I always had a problem and wanted to make a change.

Downtown at the courthouse, the bathroom facilities were labeled colored and white. I got in trouble because near the water fountain there was a dipper, and the dipper was for coloreds—only whites could drink out of the water fountain itself. I refused to drink out of the dipper because there were flies all over it. So, I wanted to know how I could actually do something to change the environment. Over here in Tallahassee, the McDonald’s on Tennessee Street had a side window where blacks had to go to get a hamburger. In and around here, near the Capitol, just right up the street, I could not go into the five and ten cent store and sit at the counter to order lunch. But I didn’t get angry and disrespect people. I just wanted to make a change. Then I read about Abraham Lincoln and all of the trials and tribulations that he endured. Being a country boy, I felt very motivated by his life.

I had loving parents, a loving mother, who taught us not to hate, but to get involved and make a difference. Ever since I was in seventh and eighth grade, I always wanted to be in politics. I felt that in politics, you

could make a difference in the lives of people in the state. I never knew how it was going to happen, but I knew I wanted to get involved, because politically, I felt I could make a change for people who felt down and out.

I was very fortunate in the education I received. My mother was very smart. She finished high school at 14. My father only went through the fifth grade, but he was a hard working man who worked at Florida State for over 30 years. I spent a lot of time on that campus as a young man growing up. I knew the value of work. I worked in the tobacco fields of Gadsden County from sun up to sun down. I knew the value of work. When I came over and got a job in Tallahassee, other people complained, but I thought it was easy.

There are a number of people who were extremely important to me on my way to serving in the legislature. First, I would like to thank my staff. They are over in the west gallery. I’ll start off with Melissa. Melissa has been with me for 28 years—she grew up in my office. Deborah Fairhurst. Berta Kemp—she’s like the grandmother of the office. We attended the same high school. David Ash came on board—a true gentleman and a hard worker. There’s also Vince. Vince is my student intern, but I refer to him as the 41st Senator. He’s all over the place and a great student leader.

Before I thank some other people, I want to thank the President for the relationship that we’ve had—for all of the times we’ve spent talking to each other and hassling each other, and coming up with solutions. As I said before, he truly is a great guy. I am honored today that my wife, Delores, is joining me on the floor. She has had to endure a lot with me. We’ve been married almost 40 years—in three months it will be 40 years. We’ve had a lot of ups and downs. My daughter, Shani, who is probably on the internet watching this today, is in New York. She could not be here, and neither could my son, Al III. But I really appreciate all that they have done over the years to help me, campaigning and so forth.

When I first started in ’82, President and members, I walked through every state building in Tallahassee and through every office—all 22 floors of the Capitol. I had to rest when I got to the top. I worked hard. I always quote the great fighter Rocky Marciano who said, “To win takes a complete commitment of mind and body. When you can’t make that commitment, they don’t call you a champion anymore.” I made that commitment. I really wanted to serve the people, and by walking through all of those state buildings, I was able to understand what it was really like for the state workers—what they needed, how they felt disrespected, and what they were doing for the state of Florida. What they were doing was really incredible, and it still is today.

I want to thank a few people here. First, I want to thank the staff of all of the committees I worked in over the years, including the Appropriations committees—I guess I made a home over there. In the Governmental Operations committee, Ray Wilson knows more about government than all of us in this room put together. Natural Resources has always been a love for me because I grew up hunting and fishing. Dr. Peaden and Senator Villalobos discussed shooting game to put on the wall—I shoot game to take home to eat for dinner. It’s very different. They didn’t just slide ducks across the pond while we waited for them—we had to go out in a boat looking for them. I would also like to thank my friends out there in the “Third House”—the ones outside of these chambers. I met a lot of good people out there, who have brought forward a lot of good legislation. They have businesses that they represent, and they have been very good to me over the years. I can’t list all of their names, but I really, really do thank them for their kindness and support. They do a lot for the state of Florida. We may not always agree with them, but they do a great deal for the state, as the “Third House.”

As I look around this chamber, the first person I’m going to mention is Dennis Jones. Dennis, it’s been a long time. Dennis, when people walk on beaches in this state, they have no idea of your commitment. I got involved with the issue of tourism because of you. On every beach in this state, you’ve put your fingerprints in the sand. It has been my honor to work with you in that regard. I really wish Jim could be here. The thing I liked so much about Jim King—you all know I can tell great stories, but King could tell *great* stories. He would always want me to tell them to him all night, while he communicated on a regular basis with Jackson and Daniels. It was really great to be able to reminisce with Jim because there wasn’t a story I could tell that he didn’t really like. Dennis was always there.

I would also like to say something about Senator Wise. They didn't give him the last name Wise because he lacked wisdom, but because he is wise. He is a man I have enjoyed working with over and over again. He is someone who has never turned me down on issues, but who has tried to work with me on issues that were very important to education. The young man next to him—the Sheriff, Dean. We share 11 counties—11 school boards, 11 county commissions, everything that you could think of. Everywhere we go, it's a different issue. It's not like it is in South Florida, it is always changing everywhere we travel. We spent more time on the road, probably, than anyone else in the legislature. He has truly developed into a good friend, and he is serious about what he is doing.

Tony Hill is really great. I'll miss Tony. He never asks for very much. Tony is the guy that you can go to for help, and he would help you and never ask for anything in return. He only wanted to know what he could do for you. Paula—she's great on environmental issues. I've worked on a lot of environmental issues with Paula and my good friend Constantine. Between the three of us, I know our fingerprints are on every piece of environmental legislation that has ever been passed in the last 20 years. These are great people that I have had the opportunity to work with and counsel, and I know they are doing what's right for the state of Florida. Dave Aronberg and Haridopolos—I feel close to those two because when I started serving, they were in sixth grade, 11 years old. You mean to tell me I'm about to turn this chamber over to the guy I was reading to in Brevard County? But change is coming. I never wanted to get angry at those two because I feel like they are my sons. David did a good job at the Warming Festival in Sopchoppy—he learned how to grunt worms. It's really great.

Bennett—I've always had problems communicating with Senator Bennett because he is so rich, and I'm so poor. Bennett is a tight guy, that you really want to hang out with. He's been a great guy to work with. He really cares about a lot of issues, and works hard. He's been a great inspiration to me over the years. Then there is Gary Siplin. When he's not jumping fences, he's working hard. I was a high jumper in college, too—I was on the track team. Paula spoke this morning about who you would like to have with you in a foxhole if you were in trouble—well, I can tell you that there is no greater person to turn to than Gary Siplin. When Gary is with you, he is really with you—all the way down to the end. There isn't much I wouldn't do for him. Frederica Wilson—I fuss at her probably more than anyone else in the legislature. I tell her a lot of jokes, and she always laughs so hard. One day her hat even fell off. I knew then that what I had said was really funny, and I started laughing with her. Frederica is a fighter for kids, especially boys. She has changed the course of Florida. I'm just happy to have been working with her. Eleanor Sobel—I've gotten to know her really well. I love working with her. She's very serious about her work—even when it involves snakes.

I will also miss Chris Smith, Mr. President. When he first got elected we were at a Black Caucus meeting where there was a discussion about some of the things Governor Bush was doing. I had just met him, and Chris Smith asked me, "Can I see you outside for a minute?" I said, "Yes, Representative, what do you want?" He said, "If you need some help with Governor Bush, I'm kind of close to him and I can help you out." I thought, "A rookie's going to tell me that he just got here but he has a connection to the Governor?" I thought he was kidding but I saw him later on and he said, "Don't forget, I'm available." It's OK, Chris, I remember.

Senator Peaden, my brother, I tell you what. We go back a long way. As I told you the other day, he's a really smart guy. He's very intense. I don't know how I'm going to get along without him. I guess I'm going to have to get with Nancy and go over there once a week to see what he's doing. He's someone who really cares about health care, beyond being a physician. He really wants to take care of people. He's taught me what it means to help people. He's been with me in Gadsden County at the hospital, in Gulf County and in Jackson County. You just name it and he will go. Probably one of the most well-spoken people I've known is Senator Gaetz. He really knows how to speak on the floor. He had a lot of training. We know that the Panhandle is in good hands when we leave because of him.

Now, to John Thrasher over there. John and I have been friends for a long time. We fight sometimes, but we've always been friends. We have a common interest in Florida State. We worked hard together over the years. I don't think there is much I couldn't go to John about. I remember, I used to call John and ask him to send me money when he was lobbying. He never did send me anything. But he would always say,

"Thanks for calling." He always returned the call. On a serious note, I've been with him for a long time. You develop relationships with people you enjoy being around. I tried to stop him from being head of the Republican Party. I tried everything to change his mind. I tried to lock him up in a room before he went down to Orlando, but I couldn't do it. John is a good friend, and he's going to bring a lot of leadership to this area.

I've spent time with Ronda Storms. She's a wonderful person who really knows what she is talking about. It's been my pleasure to work with her. Then there is Arthenia Joyner. I don't know if I fuss more with her or Nan Rich. I call them twins because they are always on me about something. She loves me one moment, Mr. President, and hates me the next. It's a love-hate relationship. She's really good, though. I've known her a long time and I respect her very much. I want to personally thank Charlie Justice for being my Pro Tem. He's a great guy, always willing to take over. He has a great personality and a great sense of humor. It has been a real privilege to work with him. Then my good friend Victor Crist. Victor probably knows more about me than I care to talk about. He is someone who is steadfast, and someone you really like to have explain issues to you. There is no better person than Victor, and I'm glad that someone finally married him. He waited a long time, but he really did well with his marriage.

Lee Constantine is another person I've been around a long time. He's Mr. Environment. Lee, we've kept fresh water coming into the Everglades, and we've protected underground aquifers of water in this state. I even have a septic joke for you later on. I won't say very much about that today though, but you have really been there. I've been happy to be by your side, working on these issues that are so important. I have to say something about Carey Baker—the man who understands guns and carries guns. We worked hard together on General Government. Even when times are bad—and some people say it is the driest committee around—Senator Baker makes it fun. You can ask Senator Dean about it. He really makes it fun. He knows how to squeeze a lemon. Senator Alexander is not on the floor, but I'd like to say something about him. Senator Alexander is a serious kind of guy. As a politician, you always want to tell people the good things, and you really don't want to tell them the bad things. But Senator Alexander has a job where he has to tell people the bad things. He tells them and sometimes they don't like it. But that's what a politician has to do sometimes—they tell people the good, and sometimes they have to tell the bad. He does a very good job.

Larcenia Bullard had been sick until she heard that I was on the floor. She had to come out. It wouldn't have been right for me to be here for the last time without Larcenia Bullard being here. She's a wonderful lady. She and I share stories about the Delfonics. She used to be part of the Delfonics up in Philadelphia when they had all of their great hits. She is a great lady, as all of you know. We share a lot of love. We've had a lot of great friends leave us that we get a chance to talk about from time to time. Larcenia, I'm just so happy that you are here with us today. I look forward to seeing you continue your service. You know I'll be there for you.

Jeremy Ring might be the richest guy in the legislature, or used to be before the market took a hit. Let me tell you a little bit about Ring. Ring is the type of guy that you can talk about and he never gets angry. I've talked about him a lot. But as a friend, I remember a time when we were in New York together and he took me to Carnegie Deli. I was a little upset, because they didn't know what grits were. Ring was trying to explain to me that I couldn't eat grits at Carnegie Deli. I had to eat corn beef or something instead. He has truly been a great person to work with, and I'm truly proud of his work. I now call him Mr. DMS.

Nan Rich is coming in as the next Leader. I've spent a lot of time traveling on the road with Nan. Nan is the only person I know who can drive down I-95—at 95 mph—putting on makeup and using a cell phone at the same time—and it's raining! I was just holding on. She wasn't texting, but she sure was talking. I was so glad to get out of the car with Nan, that I just started thanking God. She is a great worker. She believes in issues, and she's committed to Florida's children, the elderly and the disabled. It is all a part of her make up. I might say I enjoy talking to her, but I'd be lying. You need the kind of leadership that Senator Rich provides. We are in the hardest economic times that I've seen in my 28 years of service. You need people like Nan who are still in there fighting for those who are less fortunate, and trying to make sure that we find some dollars to help those who are in need. It takes someone who is really committed.

Rudy Garcia is quiet and a great guy to have worked with over the years. A lot of state workers really don't understand how committed Rudy Garcia has been to making sure that they have a better quality of life, and to protecting their benefits. He has tried to help them in collective bargaining. He has been a committed individual.

I've always felt there is a conspiracy going on in South Florida. I always felt that we lived in two states. We live in the state of North Florida, Senator Thrasher, and they live in the state of South Florida. At some point, we need to draw a line, but we've never been able to do it.

I want to thank all of you. I might not have mentioned all of your names, but I'd like to thank you for the privilege of working with you for the people of this state. I really need to thank my staff in the Democratic office. Renai, Michelle, Ken, Corinne, Julie, all of them, for all of their hard work. We have a great staff. I also have to thank the staff in the President's office for all of their hard work. The guy I really like in there is Budd. I probably visit with Budd more than I do with any other staff director in the legislature because Budd is a real guy. He's a real individual. He really cares about everything he does. There is one other gentleman that I must mention and that is David Coburn. I call David all the time on weekends, talking about sports and other things, but mostly seeking out his knowledge on the issues, which is extremely good.

Ladies and gentlemen, I'm bringing it to an end. I tried to say a little bit about everybody in this chamber. I noticed that Marti Coley is here, which is great. She's a very good friend. The Agriculture Commissioner is here, as well as former Representative Curtis Richardson and Representative Alan Williams. Let me tell you something about Alan Williams. He was in kindergarten when I started serving. I'm sorry, second grade when I started serving. I had no idea that this little, bad boy was going to be my colleague in the legislature. I don't see Jimmy Patronis, but Representative Patronis was my page in the House! Now, he is my colleague in the legislature.

Dean Cannon is going to be a great Speaker. I like him. I told him the other day that I will do everything I can to help him be successful. I know he's going to do a good job. The proof is that he's down here to congratulate me. The man next to him—I debated with him all night last night. I crawled across the table to try to make him understand this process. We call him Perry Thurston, from Broward. A great individual to work with. He's going to do great things in the legislative process. I told Dean Cannon to take care of guys like him. Thurston is going to be very good. My colleague over here—I don't know what happened to him. We're about the same age and he just had twins. I'm going to help him as much as I can. I know what it's like.

I would like to say one other thing in closing about Delores. She rarely agrees with what I say, and I understand that, but she's been a driving force behind me. I've always respected everything that she's wanted to do. I always wanted to go into business, and when I did I was making \$59 a month and depending on her to pay the bills. Senator Peaden, I still depend on her to pay the bills, because the House just keeps cutting my salary. Members, when I started off in this process I made \$12,000 a year, we got it up to \$15,000, then \$18,000, \$22,000, \$30,000 a year. Now we're back down to \$26,000 a year. That's the way life is in the legislature—you go up, and then sometimes you come down. But Delores has done well—she's had an outstanding career. It's because of her that I am who I am today. I also thank my parents, and especially the Lord for giving me the energy and the ability to serve and to love people.

I was telling Alan Williams the other day that when I first came into this process, I had all of these things that I wanted to do. I came into the House and I cursed everybody and I fought with them. When I went home that night I found out that the same people I had cursed, I had to ask them to vote for me the next day. What kind of process is this? I couldn't get away from it. That was the biggest lesson I learned and it was told to me by the late Herb Morgan—John, you'll remember him. Members, I'm honored. I'm going to miss all of you when I'm on a shelf, dusting away. I'm inviting all of you to dinner at my house tomorrow night at 7:00 p.m. I look forward to seeing you there.

SENATOR WISE PRESIDING

SPECIAL ORDER CALENDAR

Consideration of **SB 2252** was deferred.

THE PRESIDENT PRESIDING

On motion by Senator Gardiner, by two-thirds vote **CS for CS for CS for HB 1143** was withdrawn from the Committee on Health Regulation; and the Policy and Steering Committee on Ways and Means.

On motion by Senator Gardiner—

CS for CS for CS for HB 1143—A bill to be entitled An act relating to health care; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; deleting an obsolete provision; amending s. 318.21, F.S.; revising distribution of funds from civil penalties imposed for traffic infractions by county courts; amending s. 381.00315, F.S.; directing the Department of Health to accept funds from counties, municipalities, and certain other entities for the purchase of certain products made available under a contract of the United States Department of Health and Human Services for the manufacture and delivery of such products in response to a public health emergency; amending s. 381.0072, F.S.; limiting Department of Health food service inspections in nursing homes; requiring the department to coordinate inspections with the Agency for Health Care Administration; repealing s. 383.325, F.S., relating to confidentiality of inspection reports of licensed birth center facilities; amending s. 395.002, F.S.; revising and deleting definitions applicable to regulation of hospitals and other licensed facilities; conforming a cross-reference; amending s. 395.003, F.S.; deleting an obsolete provision; conforming a cross-reference; amending s. 395.0193, F.S.; requiring a licensed facility to report certain peer review information and final disciplinary actions to the Division of Medical Quality Assurance of the Department of Health rather than the Division of Health Quality Assurance of the Agency for Health Care Administration; amending s. 395.1023, F.S.; providing for the Department of Children and Family Services rather than the Department of Health to perform certain functions with respect to child protection cases; requiring certain hospitals to notify the Department of Children and Family Services of compliance; amending s. 395.1041, F.S., relating to hospital emergency services and care; deleting obsolete provisions; repealing s. 395.1046, F.S., relating to complaint investigation procedures; amending s. 395.1055, F.S.; requiring licensed facility beds to conform to standards specified by the Agency for Health Care Administration, the Florida Building Code, and the Florida Fire Prevention Code; amending s. 395.10972, F.S.; revising a reference to the Florida Society of Healthcare Risk Management to conform to the current designation; amending s. 395.2050, F.S.; revising a reference to the federal Health Care Financing Administration to conform to the current designation; amending s. 395.3036, F.S.; correcting a reference; repealing s. 395.3037, F.S., relating to redundant definitions; amending ss. 154.11, 394.741, 395.3038, 400.925, 400.9935, 408.05, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; revising references to the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, and the Council on Accreditation to conform to their current designations; amending s. 395.602, F.S.; revising the definition of the term "rural hospital" to delete an obsolete provision; amending s. 400.021, F.S.; revising the definition of the term "geriatric outpatient clinic"; amending s. 400.0255, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.063, F.S.; deleting an obsolete provision; amending ss. 400.071 and 400.0712, F.S.; revising applicability of general licensure requirements under part II of ch. 408, F.S., to applications for nursing home licensure; revising provisions governing inactive licenses; amending s. 400.111, F.S.; providing for disclosure of controlling interest of a nursing home facility upon request by the Agency for Health Care Administration; amending s. 400.1183, F.S.; revising grievance record maintenance and reporting requirements for nursing homes; amending s. 400.141, F.S.; providing criteria for the provision of respite services by nursing homes; requiring a written plan of care; requiring a contract for services; requiring resident release to caregivers to be designated in writing; providing an exemption to the application of discharge planning rules; providing for residents' rights; providing for use of personal medications; providing terms of respite stay; providing for communication of patient information; requiring a physician order for care and proof of a physical ex-

amination; providing for services for respite patients and duties of facilities with respect to such patients; conforming a cross-reference; requiring facilities to maintain clinical records that meet specified standards; providing a fine relating to an admissions moratorium; deleting requirement for facilities to submit certain information related to management companies to the agency; deleting a requirement for facilities to notify the agency of certain bankruptcy filings to conform to changes made by the act; amending s. 400.142, F.S.; deleting language relating to agency adoption of rules; amending 400.147, F.S.; revising reporting requirements for licensed nursing home facilities relating to adverse incidents; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; amending s. 400.162, F.S., requiring nursing homes to provide a resident property statement annually and upon request; amending s. 400.179, F.S.; revising requirements for nursing home lease bond alternative fees; deleting an obsolete provision; amending s. 400.19, F.S.; revising inspection requirements; repealing s. 400.195, F.S., relating to agency reporting requirements; amending s. 400.23, F.S.; deleting an obsolete provision; correcting a reference; directing the agency to adopt rules for minimum staffing standards in nursing homes that serve persons under 21 years of age; providing minimum staffing standards; amending s. 400.275, F.S.; revising agency duties with regard to training nursing home surveyor teams; revising requirements for team members; amending s. 400.484, F.S.; revising the schedule of home health agency inspection violations; amending s. 400.606, F.S.; revising the content requirements of the plan accompanying an initial or change-of-ownership application for licensure of a hospice; revising requirements relating to certificates of need for certain hospice facilities; amending s. 400.607, F.S.; revising grounds for agency action against a hospice; amending s. 400.915, F.S.; correcting an obsolete cross-reference to administrative rules; amending s. 400.931, F.S.; deleting a requirement that an applicant for a home medical equipment provider license submit a surety bond to the agency; amending s. 400.932, F.S.; revising grounds for the imposition of administrative penalties for certain violations by an employee of a home medical equipment provider; amending s. 400.967, F.S.; revising the schedule of inspection violations for intermediate care facilities for the developmentally disabled; providing a penalty for certain violations; amending s. 400.9905, F.S.; providing that part X of ch. 400, F.S., the Health Care Clinic Act, does not apply to an entity owned by a corporation with a specified amount of annual sales of health care services under certain circumstances or to an entity owned or controlled by a publicly traded entity with a specified amount of annual revenues; amending s. 400.991, F.S.; conforming terminology; revising application requirements relating to documentation of financial ability to operate a mobile clinic; amending s. 408.034, F.S.; revising agency authority relating to licensing of intermediate care facilities for the developmentally disabled; amending s. 408.036, F.S.; deleting an exemption from certain certificate-of-need review requirements for a hospice or a hospice inpatient facility; amending s. 408.043, F.S.; revising requirements for certain freestanding inpatient hospice care facilities to obtain a certificate of need; amending s. 408.061, F.S.; revising health care facility data reporting requirements; amending s. 408.10, F.S.; removing agency authority to investigate certain consumer complaints; amending s. 408.802, F.S.; removing applicability of part II of ch. 408, F.S., relating to general licensure requirements, to private review agents; amending s. 408.804, F.S.; providing penalties for altering, defacing, or falsifying a license certificate issued by the agency or displaying such an altered, defaced, or falsified certificate; amending s. 408.806, F.S.; revising agency responsibilities for notification of licensees of impending expiration of a license; requiring payment of a late fee for a license application to be considered complete under certain circumstances; amending s. 408.810, F.S.; revising provisions relating to information required for licensure; requiring proof of submission of notice to a mortgagor or landlord regarding provision of services requiring licensure; requiring disclosure of information by a controlling interest of certain court actions relating to financial instability within a specified time period; amending s. 408.813, F.S.; authorizing the agency to impose fines for unclassified violations of part II of ch. 408, F.S.; amending s. 408.815, F.S.; authorizing the agency to extend a license expiration date under certain circumstances; amending s. 409.221, F.S.; deleting a reporting requirement relating to the consumer-directed care program; amending s. 409.91196, F.S.; conforming a cross-reference; amending s. 409.912, F.S.; revising procedures for implementation of a Medicaid prescribed-drug spending-control program; amending s. 429.07, F.S.; deleting the requirement for an assisted living facility to obtain an additional license in order to provide limited nursing services; deleting the requirement for the agency to conduct quarterly monitoring visits of facilities that hold a license to

provide extended congregate care services; deleting the requirement for the department to report annually on the status of and recommendations related to extended congregate care; deleting the requirement for the agency to conduct monitoring visits at least twice a year to facilities providing limited nursing services; increasing the licensure fees and the maximum fee required for the standard license; increasing the licensure fees for the extended congregate care license; eliminating the license fee for the limited nursing services license; transferring from another provision of law the requirement that a biennial survey of an assisted living facility include specific actions to determine whether the facility is adequately protecting residents' rights; providing that an assisted living facility that has a class I or class II violation is subject to monitoring visits; requiring a registered nurse to participate in certain monitoring visits; amending s. 429.11, F.S.; revising licensure application requirements for assisted living facilities to eliminate provisional licenses; amending s. 429.12, F.S.; revising notification requirements for the sale or transfer of ownership of an assisted living facility; amending s. 429.14, F.S.; removing a ground for the imposition of an administrative penalty; clarifying provisions relating to a facility's request for a hearing under certain circumstances; authorizing the agency to provide certain information relating to the licensure status of assisted living facilities electronically or through the agency's Internet website; amending s. 429.17, F.S.; deleting provisions relating to the limited nursing services license; revising agency responsibilities regarding the issuance of conditional licenses; amending s. 429.19, F.S.; clarifying that a monitoring fee may be assessed in addition to an administrative fine; amending s. 429.23, F.S.; deleting reporting requirements for assisted living facilities relating to liability claims; amending s. 429.255, F.S.; eliminating provisions authorizing the use of volunteers to provide certain health-care-related services in assisted living facilities; authorizing assisted living facilities to provide limited nursing services; requiring an assisted living facility to be responsible for certain recordkeeping and staff to be trained to monitor residents receiving certain health-care-related services; amending s. 429.28, F.S.; deleting a requirement for a biennial survey of an assisted living facility, to conform to changes made by the act; amending s. 429.35, F.S.; authorizing the agency to provide certain information relating to the inspections of assisted living facilities electronically or through the agency's Internet website; amending s. 429.41, F.S., relating to rulemaking; conforming provisions to changes made by the act; amending s. 429.53, F.S.; revising provisions relating to consultation by the agency; revising a definition; amending s. 429.54, F.S.; requiring licensed assisted living facilities to electronically report certain data semiannually to the agency in accordance with rules adopted by the department; amending s. 429.71, F.S.; revising schedule of inspection violations for adult family-care homes; amending s. 429.911, F.S.; deleting a ground for agency action against an adult day care center; amending s. 429.915, F.S.; revising agency responsibilities regarding the issuance of conditional licenses; amending s. 483.294, F.S.; revising frequency of agency inspections of multiphasic health testing centers; amending s. 499.003, F.S.; defining the term "medical convenience kit" for purposes of pt. I of ch. 499, F.S.; providing an exception to applicability of the term; removing a requirement that certain prescription drug purchasers maintain a separate inventory of certain prescription drugs; amending s. 499.01212, F.S.; providing an exception to the requirement that a wholesale distributor of prescription drugs provide a pedigree paper to the person who receives the drug for wholesale distribution of prescription drugs contained within a medical convenience kit under specified conditions; providing that the exception does not apply to any kit that contains certain controlled substances; amending s. 626.9541, F.S.; authorizing an insurer offering a group or individual health benefit plan to offer a wellness program; authorizing rewards or incentives; providing that such rewards or incentives are not insurance benefits; providing for verification of a member's inability to participate for medical reasons; amending s. 633.081, F.S.; limiting Fire Marshal inspections of nursing homes to once a year; providing for additional inspections based on complaints and violations identified in the course of orientation or training activities; amending s. 766.202, F.S.; adding persons licensed under part XIV of ch. 468, F.S., to the definition of "health care provider"; amending ss. 394.4787, 400.0239, 408.07, 430.80, and 651.118, F.S.; conforming terminology and cross-references; revising a reference; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2434** and read the second time by title.

MOTION

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

Senator Gaetz moved the following amendment:

Amendment 1 (147056) (with title amendment)—Delete lines 3152-3240 and insert:

Section 86. Section 381.06014, Florida Statutes, is amended to read:

381.06014 Blood establishments.—

(1) As used in this section, the term:

(a) “Blood establishment” means any person, entity, or organization, operating within the state, which examines an individual for the purpose of blood donation or which collects, processes, stores, tests, or distributes blood or blood components collected from the human body for the purpose of transfusion, for any other medical purpose, or for the production of any biological product.

(b) “Volunteer donor” means a person who does not receive remuneration, other than an incentive, for a blood donation intended for transfusion, and the product container of the donation from the person qualifies for labeling with the statement “volunteer donor” under 21 C.F.R. s. 606.121.

(2) Any blood establishment operating in the state may not conduct any activity defined in subsection (1) unless that blood establishment is operated in a manner consistent with the provisions of Title 21 parts 211 and 600-640, Code of Federal Regulations.

(3) Any blood establishment determined to be operating in the state in a manner not consistent with the provisions of Title 21 parts 211 and 600-640, Code of Federal Regulations, and in a manner that constitutes a danger to the health or well-being of donors or recipients as evidenced by the federal Food and Drug Administration’s inspection reports and the revocation of the blood establishment’s license or registration shall be in violation of this chapter and shall immediately cease all operations in the state.

(4) The operation of a blood establishment in a manner not consistent with the provisions of Title 21 parts 211 and 600-640, Code of Federal Regulations, and in a manner that constitutes a danger to the health or well-being of blood donors or recipients as evidenced by the federal Food and Drug Administration’s inspection process is declared a nuisance and inimical to the public health, welfare, and safety. The Agency for Health Care Administration or any state attorney may bring an action for an injunction to restrain such operations or enjoin the future operation of the blood establishment.

(5) A local government may not restrict the access to or use of any public facility or infrastructure for the collection of blood or blood components from volunteer donors based on whether the blood establishment is operating as a for-profit organization or not-for-profit organization.

(6) In determining the service fee of blood or blood components received from volunteer donors and sold to hospitals or other health care providers, a blood establishment may not base the service fee of the blood or blood component solely on whether the purchasing entity is a for-profit organization or not-for-profit organization.

(7) A blood establishment that collects blood or blood components from volunteer donors must disclose on the Internet information to educate and inform donors and the public about the blood establishment’s activities. A hospital that collects blood or blood components from volunteer donors for its own use or for health care providers that are part of its business entity is exempt from the disclosure requirements in this subsection. The information required to be disclosed under this subsection may be cumulative for all blood establishments within a business entity. Disciplinary action against the blood establishment’s clinical laboratory license may be taken as provided in s. 483.201 for a blood establishment that is required to disclose but fails to disclose on its website all of the following information:

(a) A description of the steps involved in collecting, processing, and distributing volunteer donations, presented in a manner appropriate for the donating public.

(b) By March 1 of each year, the number of units of blood components, identified by component, that were:

1. Produced by the blood establishment during the preceding calendar year;

2. Obtained from other sources during the preceding calendar year;

3. Distributed during the preceding year to health care providers located outside this state. However, if the blood establishment collects donations in a county outside this state, distributions to health care providers in that county shall be excluded. Such information shall be aggregated by health care providers located within the United States and its territories or outside the United States and its territories; and

4. Distributed to entities that are not health care providers during the preceding year. Such information shall be aggregated by purchasers located within the United States and its territories or outside the United States and its territories.

For purposes of this paragraph, the components that must be reported include whole blood, red blood cells, leukoreduced red blood cells, fresh frozen plasma or the equivalent, recovered plasma, platelets, and cryoprecipitated antihemophilic factor.

(c) The blood establishment’s conflict-of-interest policy, policy concerning related-party transactions, whistleblower policy, and policy for determining executive compensation. If a change to any of these documents occurs, the revised document must be available on the blood establishment’s website by the following March 1.

(d)1. The most recent 3 years of the Return of Organization Exempt from Income Tax, Internal Revenue Service Form 990, if the business entity for the blood establishment is eligible to file such return. The Form 990 must be available on the blood establishment’s website within 30 calendar days after filing it with the Internal Revenue Service; or

2. If the business entity for the blood establishment is not eligible to file the Form 990 return, a balance sheet, income statement, statement of changes in cash flow, and the expression of an opinion thereon by an independent certified public accountant who audited or reviewed such financial statements. Such documents must be available on the blood establishment’s website within 120 days after the end of the blood establishment’s fiscal year and must remain on the blood establishment’s website for at least 36 months.

Section 87. Subsection (11) is added to section 483.201, Florida Statutes, to read:

483.201 Grounds for disciplinary action against clinical laboratories.—In addition to the requirements of part II of chapter 408, the following acts constitute grounds for which a disciplinary action specified in s. 483.221 may be taken against a clinical laboratory:

(11) A blood establishment that collects blood or blood components from volunteer donors failing to disclose information concerning its activities as required by s. 381.06014. Each day of violation constitutes a separate violation and each separate violation is subject to a separate fine. If multiple licensed establishments operated by a single business entity fail to meet such disclosure requirements, the agency may assess fines against only one of the business entity’s clinical laboratory licenses. The total administrative fine may not exceed \$10,000 for each annual reporting period.

Section 88. Present subsections (32) through (54) of section 499.003, Florida Statutes, are renumbered as subsections (33) through (55), respectively, present subsections (23) and (42) and paragraph (a) of present subsection (53) are amended, and a new subsection (32) is added to that section, to read:

499.003 Definitions of terms used in this part.—As used in this part, the term:

(23) “Health care entity” means a closed pharmacy or any person, organization, or business entity that provides diagnostic, medical, sur-

gical, or dental treatment or care, or chronic or rehabilitative care, but does not include any wholesale distributor or retail pharmacy licensed under state law to deal in prescription drugs. *However, a blood establishment may be a health care entity and engage in the wholesale distribution of prescription drugs under s. 499.01(2)(g)1.c.*

(32) *“Medical convenience kit” means packages or units that contain combination products as defined in 21 C.F.R. s. 3.2(e)(2).*

(43)(42) *“Prescription drug” means a prescription, medicinal, or legend drug, including, but not limited to, finished dosage forms or active ingredients subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act or s. 465.003(8), s. 499.007(13), or subsection (11), subsection (46) (45), or subsection (53) (52).*

(54)(53) *“Wholesale distribution” means distribution of prescription drugs to persons other than a consumer or patient, but does not include:*

(a) Any of the following activities, which is not a violation of s. 499.005(21) if such activity is conducted in accordance with s. 499.01(2)(g):

1. The purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization of a prescription drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of that organization.

2. The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug by a charitable organization described in s. 501(c)(3) of the Internal Revenue Code of 1986, as amended and revised, to a nonprofit affiliate of the organization to the extent otherwise permitted by law.

3. The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug among hospitals or other health care entities that are under common control. For purposes of this subparagraph, “common control” means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, by voting rights, by contract, or otherwise.

4. The sale, purchase, trade, or other transfer of a prescription drug from or for any federal, state, or local government agency or any entity eligible to purchase prescription drugs at public health services prices pursuant to Pub. L. No. 102-585, s. 602 to a contract provider or its subcontractor for eligible patients of the agency or entity under the following conditions:

a. The agency or entity must obtain written authorization for the sale, purchase, trade, or other transfer of a prescription drug under this subparagraph from the State Surgeon General or his or her designee.

b. The contract provider or subcontractor must be authorized by law to administer or dispense prescription drugs.

c. In the case of a subcontractor, the agency or entity must be a party to and execute the subcontract.

~~d. A contract provider or subcontractor must maintain separate and apart from other prescription drug inventory any prescription drugs of the agency or entity in its possession.~~

d.e. The contract provider and subcontractor must maintain and produce immediately for inspection all records of movement or transfer of all the prescription drugs belonging to the agency or entity, including, but not limited to, the records of receipt and disposition of prescription drugs. Each contractor and subcontractor dispensing or administering these drugs must maintain and produce records documenting the dispensing or administration. Records that are required to be maintained include, but are not limited to, a perpetual inventory itemizing drugs received and drugs dispensed by prescription number or administered by patient identifier, which must be submitted to the agency or entity quarterly.

e.f. The contract provider or subcontractor may administer or dispense the prescription drugs only to the eligible patients of the agency or entity or must return the prescription drugs for or to the agency or entity. The contract provider or subcontractor must require proof from

each person seeking to fill a prescription or obtain treatment that the person is an eligible patient of the agency or entity and must, at a minimum, maintain a copy of this proof as part of the records of the contractor or subcontractor required under sub-subparagraph *d.e.*

~~f.g.~~ In addition to the departmental inspection authority set forth in s. 499.051, the establishment of the contract provider and subcontractor and all records pertaining to prescription drugs subject to this subparagraph shall be subject to inspection by the agency or entity. All records relating to prescription drugs of a manufacturer under this subparagraph shall be subject to audit by the manufacturer of those drugs, without identifying individual patient information.

Section 89. Subsection (21) of section 499.005, Florida Statutes, is amended to read:

499.005 Prohibited acts.—It is unlawful for a person to perform or cause the performance of any of the following acts in this state:

(21) The wholesale distribution of any prescription drug that was:

(a) Purchased by a public or private hospital or other health care entity, *except as authorized in s. 499.01(2)(g)1.c.; or*

(b) Donated or supplied at a reduced price to a charitable organization.

Section 90. Paragraphs (a) and (g) of subsection (2) of section 499.01, Florida Statutes, are amended to read:

499.01 Permits.—

(2) The following permits are established:

(a) *Prescription drug manufacturer permit.*—A prescription drug manufacturer permit is required for any person that is a manufacturer of a prescription drug and that manufactures or distributes such prescription drugs in this state.

1. A person that operates an establishment permitted as a prescription drug manufacturer may engage in wholesale distribution of prescription drugs manufactured at that establishment and must comply with all of the provisions of this part, except s. 499.01212, and the rules adopted under this part, except s. 499.01212, that apply to a wholesale distributor.

2. A prescription drug manufacturer must comply with all appropriate state and federal good manufacturing practices.

3. *A blood establishment as defined in s. 381.06014, operating in a manner consistent with the provisions of 21 C.F.R. parts 211 and 600-640, and manufacturing only the prescription drugs described in s. 499.003(53)(d) is not required to be permitted as a prescription drug manufacturer under this paragraph or register products under s. 499.015.*

(g) *Restricted prescription drug distributor permit.*—

1. A restricted prescription drug distributor permit is required for:

a. Any person that engages in the distribution of a prescription drug, which distribution is not considered “wholesale distribution” under s. 499.003(53)(a).

~~b. Any A person who engages in the receipt or distribution of a prescription drug in this state for the purpose of processing its return or its destruction must obtain a permit as a restricted prescription drug distributor if such person is not the person initiating the return, the prescription drug wholesale supplier of the person initiating the return, or the manufacturer of the drug.~~

c. *A blood establishment located in this state that collects blood and blood components only from volunteer donors as defined in s. 381.06014 or pursuant to an authorized practitioner’s order for medical treatment or therapy and engages in the wholesale distribution of a prescription drug not described in s. 499.003(53)(d) to a health care entity. The health care entity receiving a prescription drug distributed under this sub-subparagraph must be licensed as a closed pharmacy or provide health care*

services at that establishment. The blood establishment must operate in accordance with s. 381.06014 and may distribute only:

(I) Prescription drugs indicated for a bleeding or clotting disorder or anemia;

(II) Blood-collection containers approved under s. 505 of the federal act;

(III) Drugs that are blood derivatives, or a recombinant or synthetic form of a blood derivative; or

(IV) Prescription drugs identified in rules adopted by the department that are essential to services performed or provided by blood establishments and authorized for distribution by blood establishments under federal law,

as long as all of the health care services provided by the blood establishment are related to its activities as a registered blood establishment or the health care services consist of collecting, processing, storing, or administering human hematopoietic stem cells or progenitor cells or performing diagnostic testing of specimens if the specimens are tested together with specimens undergoing routine donor testing.

2. Storage, handling, and recordkeeping of these distributions by a person permitted as a restricted prescription drug distributor must comply with the requirements for wholesale distributors under s. 499.0121, but not those set forth in s. 499.01212 if the distribution occurs pursuant to sub-subparagraph 1.a. or sub-subparagraph 1.b.

3. A person who applies for a permit as a restricted prescription drug distributor, or for the renewal of such a permit, must provide to the department the information required under s. 499.012.

4. The department may adopt rules regarding the distribution of prescription drugs by hospitals, health care entities, charitable organizations, or other persons not involved in wholesale distribution, and blood establishments; which rules are necessary for the protection of the public health, safety, and welfare. *The department may adopt rules related to the transportation, storage, and recordkeeping of prescription drugs which are essential to services performed or provided by a blood establishment, including requirements for the use of prescription drugs in mobile blood-collection vehicles.*

And the title is amended as follows:

Delete lines 245-250 and insert: amending s. 381.06014, F.S.; defining the term “volunteer donor”; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as a for-profit organization or not-for-profit organization when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; amending s. 483.201, F.S.; providing for disciplinary action against clinical laboratories failing to disclose specified information on the Internet; providing a maximum annual administrative fine that may be imposed annually against certain clinical laboratories for failure to comply with such disclosure requirement; amending s. 499.003, F.S.; revising the definition of the term “health care entity” to clarify that a blood establishment may be a health care entity and engage in certain activities; defining the term “medical convenience kit” for purposes of part I of ch. 499, F.S.; providing an exception to applicability of the term; removing a requirement that certain prescription drug purchasers maintain a separate inventory of certain prescription drugs; amending s. 499.005, F.S.; clarifying provisions prohibiting the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute with the restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules; amending s. 499.01212, F.S.; providing

On motion by Senator Gardiner, further consideration of **CS for CS for CS for HB 1143** with pending **Amendment 1 (147056)** was deferred.

Consideration of **CS for SB 220** and **SB 838** was deferred.

CS for CS for SB 1604—A bill to be entitled An act relating to penalties for violation of traffic laws; amending s. 318.14, F.S.; providing for a person charged with a noncriminal traffic infraction to make periodic payments when paying civil penalties and fees; providing for certain persons cited for specified offenses to submit proof of compliance to a designated official; providing alternative citation disposition procedures for the offense of operating a motor vehicle with a license that has been suspended for failure to pay certain financial obligations; amending s. 318.15, F.S.; providing for suspension of a driver’s license for failure to enter into or comply with the terms of a penalty payment plan; providing for reinstatement of the suspended license; amending s. 322.0261, F.S.; requiring the Department of Highway Safety and Motor Vehicles to identify persons who have committed violations of specific statutes and requiring such persons to complete a driver improvement course; requiring the department to send a notice to such persons; amending s. 322.331, F.S.; providing for the removal of the designation as a habitual traffic offender upon proof of compliance with certain statutory provisions; amending s. 322.34, F.S.; authorizing certain persons cited for specified offenses to enter a plea of nolo contendere and submit proof of compliance to the clerk of the court, a designated official, or an authorized operator of a traffic violations bureau; providing an effective date.

—was read the second time by title.

Senator Smith moved the following amendment:

Amendment 1 (174536) (with title amendment)—Delete lines 34-203 and insert:

Section 1. Subsection (4) and paragraph (a) of subsection (10) of section 318.14, Florida Statutes, are amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(4)(a) Except as provided in subsection (12), any person charged with a noncriminal infraction under this section who does not elect to appear shall, *within 30 days after the date of issuance of the citation:*

1. Pay the civil penalty and delinquent fee, if applicable, either by mail or in person; or

2. *Enter into a payment plan in accordance with s. 28.246 with the clerk of the court to pay the civil penalty and delinquent fee, if applicable; within 30 days after the date of issuance of the citation.*

(b) If the person cited follows the *procedures in paragraph (a) above procedure*, he or she shall be deemed to have admitted the infraction and to have waived his or her right to a hearing on the issue of commission of the infraction. Such admission shall not be used as evidence in any other proceedings. Any person who is cited for a violation of s. 320.0605 or s. 322.15(1), or subject to a penalty under s. 320.07(3)(a) or (b) or s. 322.065, and who makes an election under this subsection shall submit proof of compliance with the applicable section to the clerk of the court. For the purposes of this subsection, proof of compliance consists of a valid driver’s license or a valid registration certificate.

(10)(a) Any person who does not hold a commercial driver’s license and who is cited for an offense listed under this subsection may, in lieu of payment of fine or court appearance, elect to enter a plea of nolo contendere and provide proof of compliance to the clerk of the court, *designated official*, or authorized operator of a traffic violations bureau. In such case, adjudication shall be withheld; however, no election shall be made under this subsection if such person has made an election under this subsection in the 12 months preceding election hereunder. No person may make more than three elections under this subsection. This subsection applies to the following offenses:

1. Operating a motor vehicle without a valid driver’s license in violation of the provisions of s. 322.03, s. 322.065, or s. 322.15(1), or operating a motor vehicle with a license *that which* has been suspended for

failure to appear, failure to pay civil penalty, or failure to attend a driver improvement course pursuant to s. 322.291.

2. Operating a motor vehicle without a valid registration in violation of s. 320.0605, s. 320.07, or s. 320.131.

3. Operating a motor vehicle in violation of s. 316.646.

4. *Operating a motor vehicle with a license that has been suspended under s. 61.13016 or s. 322.245 for failure to pay child support or for failure to pay any other financial obligation as provided in s. 322.245; however, this subsection does not apply if the license has been suspended pursuant to s. 322.245(1).*

5. *Operating a motor vehicle with a license that has been suspended under s. 322.091 for failure to meet school attendance requirements.*

Section 2. Section 318.15, Florida Statutes, is amended to read:

318.15 Failure to comply with civil penalty or to appear; penalty.—

(1)(a) If a person fails to comply with the civil penalties provided in s. 318.18 within the time period specified in s. 318.14(4), *fails to enter into or comply with the terms of a penalty payment plan with the clerk of the court in accordance with ss. 318.14 and 28.246*, fails to attend driver improvement school, or fails to appear at a scheduled hearing, the clerk of the court shall notify the Division of Driver Licenses of the Department of Highway Safety and Motor Vehicles of such failure within 10 days after such failure. Upon receipt of such notice, the department shall immediately issue an order suspending the driver's license and privilege to drive of such person effective 20 days after the date the order of suspension is mailed in accordance with s. 322.251(1), (2), and (6). Any such suspension of the driving privilege which has not been reinstated, including a similar suspension imposed outside Florida, shall remain on the records of the department for a period of 7 years from the date imposed and shall be removed from the records after the expiration of 7 years from the date it is imposed.

(b) However, a person who elects to attend driver improvement school and has paid the civil penalty as provided in s. 318.14(9), but who subsequently fails to attend the driver improvement school within the time specified by the court shall be deemed to have admitted the infraction and shall be adjudicated guilty. In such a case in which there was an 18-percent reduction pursuant to s. 318.14(9) as it existed before February 1, 2009, the person must pay the clerk of the court that amount and a processing fee of up to \$18, after which no additional penalties, court costs, or surcharges shall be imposed for the violation. In all other such cases, the person must pay the clerk a processing fee of up to \$18, after which no additional penalties, court costs, or surcharges shall be imposed for the violation. The clerk of the court shall notify the department of the person's failure to attend driver improvement school and points shall be assessed pursuant to s. 322.27.

(2) After the suspension of a person's driver's license and privilege to drive under subsection (1), the license and privilege may not be reinstated until the person complies *with the terms of a periodic payment plan or a revised payment plan with the clerk of the court pursuant to ss. 318.14 and 28.246* or with all obligations and penalties imposed under s. 318.18 and presents to a driver license office a certificate of compliance issued by the court, together with a nonrefundable service charge of \$60 imposed under s. 322.29, or presents a certificate of compliance and pays the service charge to the clerk of the court or a driver licensing agent authorized under s. 322.135 clearing such suspension. Of the charge collected, \$22.50 shall be remitted to the Department of Revenue to be deposited into the Highway Safety Operating Trust Fund. Such person must also be in compliance with requirements of chapter 322 before reinstatement.

Section 3. Section 322.331, Florida Statutes, is amended to read:

322.331 Habitual traffic offenders; restoration of license.—

(1) At the expiration of 5 years from the date of license revocation, a person whose license has been revoked under s. 322.27(5) may petition the department for restoration of driving privileges. Upon such petition and after investigation of the person's qualification and fitness to drive, the department shall hold an administrative hearing to determine whether driving privileges shall be restored either on an unrestricted basis or on a restricted basis solely for business or employment purposes.

(2) *If a person whose license has been revoked under s. 322.27(5) as a result of a third violation of driving a motor vehicle while his or her license is suspended or revoked which occurred prior to July 1, 2010, provides proof of compliance as allowed by s. 318.14(10)(a) prior to July 1, 2011, the clerk of court shall submit an amended disposition to remove the habitual traffic offender designation.*

Section 4. Subsection (11) is added to section 322.34, Florida Statutes, to read:

322.34 Driving while license suspended, revoked, canceled, or disqualified.—

(10)(a) Notwithstanding any other provision of this section, if a person does not have a prior forcible felony conviction as defined in s. 776.08, the penalties provided in paragraph (b) apply if a person's driver's license or driving privilege is canceled, suspended, or revoked for:

1. Failing to pay child support as provided in s. 322.245 or s. 61.13016;

2. Failing to pay any other financial obligation as provided in s. 322.245 other than those specified in s. 322.245(1);

3. Failing to comply with a civil penalty required in s. 318.15;

4. Failing to maintain vehicular financial responsibility as required by chapter 324;

5. Failing to comply with attendance or other requirements for minors as set forth in s. 322.091; or

6. Having been designated a habitual traffic offender under s. 322.264(1)(d) as a result of suspensions of his or her driver's license or driver privilege for any underlying violation listed in subparagraphs 1.-5.

(b)1. Upon a first conviction for knowingly driving while his or her license is suspended, revoked, or canceled for any of the underlying violations listed in subparagraphs (a)1.-6., a person commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

2. Upon a second or subsequent conviction for the same offense of knowingly driving while his or her license is suspended, revoked, or canceled for any of the underlying violations listed in subparagraphs (a) 1.-6., a person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(11)(a) *Any person who does not hold a commercial driver's license and who is cited for an offense of knowingly driving while his or her license is suspended, revoked, or canceled for any of the underlying violations listed in paragraph (10)(a) may, in lieu of payment of fine or court appearance, elect to enter a plea of nolo contendere and provide proof of compliance to the clerk of the court, designated official, or authorized operator of a traffic violations bureau. In such case, adjudication shall be withheld; however, no election shall be made under this subsection if such person has made an election under this subsection in the preceding 12 months. No person may make more than three elections under this subsection.*

(b) *If adjudication is withheld under paragraph (a), such action is not a conviction.*

Section 5. This act shall take effect October 1, 2010.

And the title is amended as follows:

Delete lines 2-29 and insert: An act relating to penalties for violations of traffic laws; amending s. 318.14, F.S.; providing for a person charged with a noncriminal traffic infraction to make periodic payments to pay civil penalties and fees; providing for certain persons cited for specified offenses to provide proof of compliance to a designated official; providing alternative citation disposition procedures for the offense of operating a motor vehicle with a license that has been suspended for failure to pay certain financial obligations or to comply with specified education requirements; amending s. 318.15, F.S.; providing for suspension of a driver's license for failure to enter into or comply with the terms of a penalty payment plan; providing for reinstatement of the

suspended license; amending s. 322.331, F.S.; providing for the removal of a habitual traffic offender designation upon proof of compliance with statutory provisions by certain offenders; amending s. 322.34, F.S.; providing alternative citation disposition procedures for the offense of knowingly operating a motor vehicle with a license that has been suspended for failure to pay certain financial obligations or failure to comply with specified education requirements; providing that adjudication shall be withheld under the alternative disposition and that such withholding of adjudication is not a conviction; providing an effective date.

MOTION

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

Senators Villalobos and Wise offered the following amendment to **Amendment 1** which was moved by Senator Villalobos:

Amendment 1A (111336) (with title amendment)—Delete line 135 and insert: *traffic offender designation. However, this subsection does not apply if the suspension or revocation of the license is based on driving while under the influence of alcoholic beverages or a substance controlled under chapter 893.*

And the title is amended as follows:

Delete line 209 and insert: offenders; providing an exception; amending s. 322.34, F.S.; providing

On motion by Senator Smith, further consideration of **CS for CS for SB 1604** with pending **Amendment 1 (174536)** and pending **Amendment 1A (111336)** was deferred.

Consideration of **CS for CS for CS for SB 2138** was deferred.

CS for CS for CS for SB 2400—A bill to be entitled An act relating to motor vehicles; amending s. 261.03, F.S.; redefining the term “ROV” to include vehicles of an increased width and weight; amending s. 316.003, F.S.; defining the term “tri-vehicle”; amending s. 316.066, F.S.; authorizing crash reports to be provided to law enforcement agencies and county traffic operations; amending s. 316.0741, F.S.; providing that certain tri-vehicles are hybrid vehicles; amending s. 316.159, F.S.; requiring that drivers of certain commercial motor vehicles slow before crossing a railroad grade; amending s. 316.193, F.S.; revising qualifications for an immobilization agency to immobilize vehicles in a judicial circuit; requiring the immobilization agency to conduct a state criminal history check on certain employees; redefining the term “immobilization agency” or “immobilization agencies”; amending s. 316.2065, F.S.; requiring bicycles to be ridden in the lane marked for bicycle use except under specified circumstances; amending s. 316.2085, F.S.; authorizing the license tag on a motorcycle or moped to be affixed and displayed perpendicularly relative to the ground under certain circumstances; amending s. 316.2952, F.S.; authorizing a person to attach a global positioning system device to the windshield of a motor vehicle; amending s. 316.29545, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to exempt persons having medical conditions that require a limited exposure to light from certain prohibitions against using sunscreening material on the windows of a motor vehicle; directing the Department of Highway Safety and Motor Vehicles to exempt vehicles that are owned or leased by private investigative agencies from certain prohibitions against using suncreening material on the windows of a motor vehicle; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 316.605, F.S.; conforming the prohibition on the vertical display of a license tag to changes made by the act; amending s. 316.646, F.S.; directing the Department of Highway Safety and Motor Vehicles to suspend the registration and driver’s license of a person convicted of failure to maintain required security on a motor vehicle; amending s. 317.0003, F.S.; redefining the term “ROV” to include vehicles of an increased width and weight; amending s. 318.14, F.S.; providing procedures for disposition of a citation for violating a specified learner’s driver’s license restriction; removing an erroneous reference; removing a requirement that a person who commits a non-criminal traffic infraction be cited to appear before an official; requiring a person who commits a traffic violation requiring a hearing or a criminal traffic violation to sign and accept a citation indicating a promise to appear for a hearing; requiring an officer to certify the delivery of a

citation to the person cited; providing penalties; providing for certain persons cited for specified offenses to provide proof of compliance to a designated official; providing alternative citation disposition procedures for the offense of operating a motor vehicle with a license that has been suspended for failure to pay certain financial obligations or failure to comply with specified education requirements; amending s. 318.18, F.S.; adding a designated school crossing to the locations at which exceeding the posted speed limit will double the fine otherwise provided by law; amending s. 319.28, F.S.; requiring a lienholder who repossesses a motor vehicle in this state to apply for a certificate of repossession or certificate of title; amending s. 319.30, F.S.; defining the term “independent entity”; providing procedures for an independent entity that stores a damaged or dismantled motor vehicle for an insurance company to notify the owner when the vehicle is available for pick up or to apply for a certificate of destruction or a certificate of title if the vehicle is not claimed within a certain period; amending s. 320.02, F.S.; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to the League Against Cancer/La Liga Contra el Cancer; amending s. 320.03, F.S.; preempting to the state jurisdiction over a statewide electronic filing system for titling and registering vehicles, vessels, and mobile homes; providing requirements for the system; providing requirements for such filing system agents to participate in the system; providing for the appointment of agents; providing for the adoption of rules; providing for certain program standards to remain in effect until such rules are adopted; providing for fees; extending the time for certain private providers of the system to comply with certain financial arrangements; amending s. 320.05, F.S.; exempting the provision of certain registrations through a specific electronic filing system from certain fees charged by a tax collector; amending s. 320.071, F.S.; revising the period during which the owner of an apportionable motor vehicle may file an application for renewal of registration; amending s. 320.08, F.S.; establishing license taxes for tri-vehicles; revising the amount of the annual license tax for the operation of an ancient or antique motorcycle; amending s. 45 of chapter 2008-176, Laws of Florida; delaying the expiration of the moratorium on the issuance of new specialty license plates by the Department of Highway Safety and Motor Vehicles; amending s. 320.08053, F.S.; removing provisions requiring that an organization seeking authorization to establish a new specialty license plate submit a sample survey of motor vehicle owners to the department; requiring that the department establish a method to issue vouchers allowing the presale of a specialty license plate; requiring that an organization that is approved to issue a specialty license plate record with the department a minimum number of voucher sales in order to proceed with the development of the plate; providing for the purchaser of a voucher to receive a refund or use the voucher to purchase of another license plate if the specialty plate is deauthorized; amending ss. 320.08056 and 320.08058, F.S.; conforming provisions to changes made by the act; creating the Hispanic Achievers license plate, the Children First license plate, and the Veterans of Foreign Wars license plate; establishing an annual use fee for the plates; providing for the distribution of use fees received from the sale of such plates; providing clarification for certain organizations exempt from the moratorium; prohibiting the Department of Highway Safety and Motor Vehicles from establishing any new voluntary contribution checkoffs on the motor vehicle registration form or the driver’s license application form between a specified period; providing an exception; amending s. 320.0807, F.S.; revising provisions governing the special license plates issued to federal and state legislators; amending s. 320.084, F.S.; providing for a biennial registration renewal period for disabled veteran license plates; amending s. 321.03, F.S.; providing that it is unlawful to possess or color or cause to be colored a motor vehicle or motorcycle of the same or similar color as those prescribed for the Florida Highway Patrol unless specifically authorized by the Florida Highway Patrol; amending s. 321.05, F.S.; providing that officers of the Florida Highway Patrol have the same arrest and other authority as that provided for certain other state law enforcement officers; amending s. 322.01, F.S.; defining the term “tri-vehicle” and excluding such vehicles from the definition of “motorcycle”; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver’s license or identification card to include language permitting the applicant to make voluntary contributions for certain purposes; requiring such forms to include language permitting the applicant to make a voluntary contribution to the League Against Cancer/La Liga Contra el Cancer; providing for distribution of funds collected from such contributions; providing that such contributions are not considered income of a revenue nature; amending s. 322.121, F.S.; revising legislative intent for reexamination of licensed drivers upon

renewal of the driver's license; removing a requirement that each licensee must pass a reexamination at the time of license renewal; amending s. 322.18, F.S.; authorizing a licensed physician at a federally established veterans hospital to administer a vision test for purposes of renewing a driver's license; correcting a cross-reference; amending s. 322.2615, F.S.; revising requirements for information an officer must submit to the department after suspending a driver's license for certain DUI offenses; removing a requirement that the officer submit a copy of a crash report; authorizing the officer to submit such report; amending s. 322.34, F.S.; providing that if a person does not hold a commercial driver's license and is cited for an offense of knowingly driving while his or her license is suspended, revoked, or canceled, he or she may, in lieu of payment of a fine or court appearance, elect to enter a plea of *nolo contendere* and provide proof of compliance to the clerk of the court, designated official, or authorized operator of a traffic violations bureau; limiting a driver's option to elect such a remedy; amending s. 322.61, F.S.; revising the period of disqualification from operating a commercial motor vehicle for a violation of an out-of-service order; amending s. 488.06, F.S.; specifying additional circumstances under which the department may suspend or revoke a license or certificate of a driving school; providing effective dates.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for CS for SB 2400** to **CS for CS for HB 971**.

Pending further consideration of **CS for CS for CS for SB 2400** as amended, on motion by Senator Gardiner, by two-thirds vote **CS for CS for HB 971** was withdrawn from the Committees on Transportation; Criminal Justice; Finance and Tax; and Transportation and Economic Development Appropriations.

On motion by Senator Gardiner—

CS for CS for HB 971—A bill to be entitled An act relating to highway safety and motor vehicles; amending s. 316.003, F.S.; defining the term “tri-vehicle” for purposes of the Florida Uniform Traffic Control Law; amending s. 316.066, F.S.; authorizing law enforcement agencies and county traffic operations to access certain crash reports held by an agency; amending s. 316.0741, F.S.; providing that certain tri-vehicles are hybrid vehicles; amending s. 316.159, F.S.; requiring that drivers of certain commercial motor vehicles slow before crossing a railroad grade crossing; providing penalties; amending s. 316.193, F.S.; revising qualifications for an immobilization agency and certain employees of the agency to immobilize vehicles in a judicial circuit; requiring the immobilization agency to verify through a Florida Department of Law Enforcement background check the qualifications of a person hired to immobilize a vehicle; redefining the terms “immobilization agency” and “immobilization agencies”; amending s. 316.2065, F.S.; requiring bicycles to be ridden in the lane marked for bicycle use except under specified circumstances; providing penalties; amending s. 316.2085, F.S.; permitting certain license tags for motorcycles or mopeds to be affixed perpendicularly to the ground under certain circumstances; amending s. 316.2952, F.S.; authorizing certain satellite reception devices to be attached to the windshield of a motor vehicle; amending s. 316.29545, F.S., relating to window suncreening exclusions; excluding vehicles operated by persons with certain medical conditions from certain window suncreening restrictions; excluding vehicles owned or leased by private investigators or private investigative services from specified window suncreening restrictions; providing rulemaking authority to the Department of Highway Safety and Motor Vehicles regarding suncreening restrictions; amending s. 316.605, F.S.; providing an exception for certain motorcycles or mopeds to a requirement that license plates be affixed and displayed in such a manner that the letters and numerals shall be read from left to right parallel to the ground; amending s. 316.646, F.S.; directing the department to suspend the registration and driver's license of a person convicted of failure to maintain required security on a motor vehicle; amending s. 318.14, F.S.; providing procedures for disposition of a citation for violating specified learner's driver's license restrictions; correcting an erroneous reference; requiring a person who commits a traffic violation requiring a hearing or commits a criminal traffic violation to sign and accept a citation indicating a promise to appear for a hearing; removing a requirement that a person cited for a noncriminal traffic infraction not requiring a hearing must sign and accept the citation indicating a promise to appear; requiring an officer to certify the delivery of a citation to the person cited; providing penalties; providing for certain persons cited for specified offenses to provide proof

of compliance to a designated official; providing alternative citation disposition procedures for the offense of operating a motor vehicle with a license that has been suspended for failure to pay certain financial obligations or to comply with specified education requirements; amending s. 318.18, F.S.; providing that the penalty for speeding in designated school crossing is twice the otherwise applicable amount; amending s. 319.28, F.S.; requiring lienholders repossessing vehicles in this state to apply to a tax collector's office in this state or to the department for a certificate of repossession or to the department for a certificate of title; amending s. 319.30, F.S.; defining the term “independent entity” for purposes of provisions for salvage and dismantling, destruction, and change of identity of motor vehicle or mobile home; providing for a notice and release statement prescribed by the department from an insurance company to an independent entity that stores a damaged or dismantled motor vehicle for the insurance company; providing procedures for disposition of the vehicle by the independent entity; requiring the independent entity to notify the owner when the vehicle is available for pick up; authorizing the independent entity to apply for a certificate of destruction or a certificate of title if the vehicle is not claimed within a certain period; providing requirements for submission of the application; prohibiting the independent entity from charging an owner of the vehicle storage fees or applying for a certificate of title under specified provisions; amending s. 320.02, F.S.; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to the League Against Cancer/La Liga Contra el Cancer; amending s. 320.03, F.S., relating to an electronic filing system used to provide titling and registration functions for motor vehicles, vessels, mobile homes, and off-highway vehicles; providing regulatory authority over the electronic filing system to the department; providing for statewide uniform application of the system; providing that entities that sell products that require titling or registration and that meet certain requirements may be agents for the system and may not be precluded from using the system; requiring tax collectors to appoint such entities as electronic filing system agents; providing rulemaking authority; providing that such rules shall replace existing program standards; providing that existing standards remain in place until such rulemaking is complete, except for existing standards conflicting with this section; providing that an authorized electronic filing agent may charge fees to customers; providing that certain providers of the electronic filing system shall continue to comply with certain financial arrangements with the Tax Collector Service Corporation; providing for expiration of the provisions requiring the providers to comply with the financial arrangements; amending s. 320.05, F.S.; requiring specified fees be collected for providing registration data by electronic access through a tax collector's office; providing for distribution of the fees collected; providing an exception; amending s. 320.071, F.S.; revising the time period during which the owner of an apportioned motor vehicle may file an application for renewal of registration; amending s. 320.08, F.S.; establishing license taxes for tri-vehicles and antique motorcycles; amending s. 45 of chapter 2008-176, Laws of Florida; delaying the expiration of the moratorium on the issuance of new specialty license plates by the department; amending s. 320.08053, F.S.; removing provisions requiring an organization seeking authorization to establish a new specialty license plate to submit a sample survey of motor vehicle owners to the department; requiring the department to establish a method to issue vouchers allowing the presale of a specialty license plate; requiring that an organization that is approved to issue a specialty license plate record with the department a minimum number of voucher sales in order to proceed with the development of the plate; providing for the purchaser of a voucher to receive a refund or use the voucher to purchase of another license plate if the specialty plate is deauthorized; providing that changes to specified provisions relating to establishing a new specialty license plate do not apply to certain organizations; amending ss. 320.08056 and 320.08058, F.S.; conforming provisions to changes made by the act; creating the Hispanic Achievers license plate, the Children First license plate, and the Veterans of Foreign Wars license plate; establishing an annual use fee for the plates; providing for distribution of use fees received from the sale of such plates; prohibiting the department from establishing new voluntary contributions on the motor vehicle registration application form or the driver's license application form during a certain time period; providing exceptions; amending s. 320.0807, F.S.; revising provisions governing the special license plates issued to federal and state legislators; amending s. 320.084, F.S.; providing for a biennial registration renewal period for disabled veteran license plates; amending s. 321.03, F.S.; providing that it is unlawful to possess or color or cause to be colored a motor vehicle or motorcycle of the same or similar color as

those prescribed for the Florida Highway Patrol unless specifically authorized by the Florida Highway Patrol; amending s. 321.05, F.S.; providing that officers of the Florida Highway Patrol have the same arrest and other authority as that provided for certain other state law enforcement officers; amending s. 322.01, F.S.; defining the term “tri-vehicle” and excluding such vehicles from the definition of “motorcycle” as those terms are used in provisions for drivers’ licenses; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver’s license or identification card to include language permitting the applicant to make voluntary contributions for certain purposes; requiring such forms to include language permitting the applicant to make a voluntary contribution to the League Against Cancer/La Liga Contra el Cancer and to state homes for veterans; providing for distribution of funds collected from such contributions; providing that such contributions are not considered income of a revenue nature; amending s. 322.121, F.S.; revising legislative intent for reexamination of licensed drivers upon the renewal of the driver’s license; removing a requirement that each licensee must pass a reexamination at the time of license renewal; amending s. 322.18, F.S.; authorizing a licensed physician at a federally established veterans’ hospital to administer a vision test for purposes of renewing a driver’s license; conforming a cross-reference; amending s. 322.2615, F.S.; revising requirements for information an officer must submit to the department after suspending a driver’s license for certain DUI offenses; removing a requirement that the officer submit a copy of a crash report; authorizing the officer to submit such report; amending s. 322.271, F.S.; providing procedures for the restoration of the driving privileges of certain persons whose driving privileges have been revoked; providing for a hearing; providing for the adoption of rules; providing a phase-in period; amending s. 322.2715, F.S.; requiring the installation of an ignition interlock device under certain circumstances; amending s. 322.34, F.S.; providing that if a person does not hold a commercial driver’s license and is cited for an offense of knowingly driving while his or her license is suspended, revoked, or canceled for specified offenses, he or she may, in lieu of payment of a fine or court appearance, elect to enter a plea of nolo contendere and provide proof of compliance to the clerk of the court, designated official, or authorized operator of a traffic violations bureau; limiting a driver’s option to elect such a remedy; amending s. 322.61, F.S.; revising the period of disqualification from operating a commercial motor vehicle for a violation of an out-of-service order; amending s. 488.06, F.S.; specifying additional circumstances under which the department may suspend or revoke a license or certificate of a driving school; providing procedures for background screening; amending ss. 261.03 and 317.0003, F.S.; revising the definition of the term “ROV” to include vehicles of an increased width and weight for purposes of provisions relating to off-highway vehicles; amending s. 316.008, F.S.; authorizing a county or municipality to enact an ordinance to permit, control, or regulate the operation of vehicles, golf carts, mopeds, motorized scooters, and electric personal assistive mobility devices on sidewalks or sidewalk areas under certain conditions; requiring the ordinance to restrict such vehicles or devices to a certain maximum speed; amending s. 316.1995, F.S.; specifying exceptions to restrictions on operating vehicles upon a bicycle path, sidewalk, or sidewalk area; amending s. 316.212, F.S.; providing for a local governmental entity to enact an ordinance relating to golf cart operation on sidewalks in certain areas if certain conditions are met; amending s. 316.2128, F.S.; revising requirements for signage which must be displayed by certain sellers of motorized scooters or miniature motorcycles; creating the “Ronshay Dugans Act”; designating Drowsy Driving Prevention Week; encouraging the Department of Highway Safety and Motor Vehicles and the Department of Transportation to educate the law enforcement community and the public about the relationship between fatigue and driving performance; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 2400** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 971** was placed on the calendar of Bills on Third Reading.

CS for SB 514—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of clothing and school supplies are exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 514** to **CS for HB 483 and HB 469**.

Pending further consideration of **CS for SB 514** as amended, on motion by Senator Fasano, by two-thirds vote **CS for HB 483 and HB 469** was withdrawn from the Committee on Finance and Tax.

On motion by Senator Fasano, the rules were waived and—

CS for HB 483 and HB 469—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of books, clothing, and school supplies is exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **CS for SB 514** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 483 and HB 469** was placed on the calendar of Bills on Third Reading.

On motion by Senator Oelrich, by unanimous consent—

CS for CS for SB 1786—A bill to be entitled An act relating to postsecondary education; amending s. 110.181, F.S.; conforming a cross-reference to changes made by the act; amending ss. 112.19 and 112.191, F.S.; requiring the Board of Governors of the State University System to adopt regulations rather than rules to implement certain educational benefits; amending s. 120.81, F.S.; providing that state universities are not required to file certain documents with the Administrative Procedures Committee; amending s. 282.0041, F.S.; revising definitions relating to information technology services to conform to changes made by the act; amending s. 282.703, F.S.; revising provisions relating to the participation of state universities in the SUNCOM Network; amending s. 282.706, F.S.; revising provisions relating to the use of the SUNCOM Network by state university libraries; amending s. 287.064, F.S.; conforming a cross-reference to changes made by the act; amending s. 1000.05, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to discrimination; amending s. 1001.705, F.S.; revising provisions relating to responsibility for the State University System under the State Constitution; deleting legislative findings and intent; providing the constitutional duties of the Board of Governors; providing the constitutional duties of the Legislature; deleting a duty relating to the participation of state universities in the SUNCOM Network; amending s. 1001.706, F.S.; revising powers and duties of the Board of Governors; providing that the Board of Governors has the authority to regulate the State University System and may adopt a regulation development procedure for the board and university boards of trustees to use in implementing their constitutional duties and responsibilities; authorizing the Board of Governors or its designee to adopt regulations; providing requirements for the regulation development procedure; providing requirements for judicial review of certain challenges; revising the Board of Governors’ powers and duties relating to accountability and personnel; providing legislative intent that the Board of Governors align the missions of universities with certain factors; providing requirements for a mission alignment and strategic plan; affording opportunities to certain universities; amending s. 1001.72, F.S.; providing that the board of trustees is the university’s contracting agent; creating s. 1004.015, F.S.; creating the Higher Education Coordinating Council; providing for membership; providing guiding principles for council recommendations to the Legislature, State Board of Education, and Board of Governors; amending s. 1004.03, F.S.; revising provisions relating to review and approval of new programs at state universities by the Board of Governors; requiring an annual report of the review of proposed new programs; eliminating the requirement that certain programs be approved by the Legislature; amending s. 1004.07, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to student withdrawal from courses due to military service; amending s. 1006.54, F.S.; requiring university boards of trustees to adopt regulations rather than rules relating to documents distributed to libraries; amending s. 1006.60, F.S.; revising provisions relating to state university codes of conduct to authorize the adoption of regulations rather than rules; amending s. 1006.65, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to safety issues in courses offered by state universities; amending ss. 1007.264 and 1007.265, F.S.; requiring the Board of Governors to adopt regulations

rather than rules relating to admission and graduation requirements for students with disabilities; amending s. 1009.24, F.S.; reorganizing certain provisions of law relating to state university student fees; authorizing the Board of Governors to approve flexible tuition policies requested by a university board of trustees; providing that certain fees be based on reasonable costs of services and used for certain purposes; authorizing the Board of Governors to approve a proposal from a university board of trustees to establish a new student fee, increase the cap for an existing fee, or implement flexible tuition policies; providing guidelines for review of proposals; requiring an annual report; prohibiting certain fees from exceeding a specified amount, being included in certain scholarship awards, and being used for certain purposes; requiring a fee committee to make recommendations relating to a new fee; providing restrictions on fee increases; requiring the Board of Governors to adopt regulations; amending s. 1009.26, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to fee waivers; amending s. 1010.04, F.S.; providing that the Board of Governors shall adopt regulations rather than rules for purchases and leases; amending s. 1010.62, F.S.; defining the term "auxiliary enterprise" for purposes of revenue bonds and debt; amending s. 1011.43, F.S.; requiring university boards of trustees to adopt regulations rather than rules for administration of certain scholarships and loans; amending s. 1011.90, F.S.; revising provisions relating to management information maintained by the Board of Governors; amending s. 1013.02, F.S.; requiring the Board of Governors to adopt regulations rather than rules to implement provisions of law relating to educational facilities; amending s. 1013.10, F.S.; providing for university board of trustee regulations for the use of educational buildings and grounds; amending ss. 1013.12 and 1013.28, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to firesafety inspections and disposal of real property; amending s. 1013.30, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to university campus master plans; amending s. 1013.31, F.S.; requiring the Board of Governors to adopt regulations rather than rules for determining facility space needs; amending s. 1013.47, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to building standards; amending s. 1013.74, F.S.; authorizing the Board of Governors to adopt regulations rather than rules relating to authorization for fixed capital outlay projects; repealing s. 1001.74, F.S., relating to powers and duties of university boards of trustees; repealing s. 1004.21, F.S., relating to general provisions for state universities; repealing s. 1004.22(13), F.S., relating to rulemaking by a university board of trustees with respect to divisions of sponsored research; repealing s. 1004.38, F.S., relating to the master of science program in speech-language pathology at Florida International University; repealing s. 1004.381, F.S., relating to the bachelor of science nursing degree program at the University of West Florida; repealing s. 1004.3811, F.S., relating to the master of science degree programs in nursing and social work at the University of West Florida; repealing s. 1004.382, F.S., relating to the master's in social work program at Florida Atlantic University; repealing s. 1004.383, F.S., relating to a chiropractic medicine degree program at Florida State University; repealing s. 1004.386, F.S., relating to a bachelor of science degree program in long-term care administration at Florida Gulf Coast University; repealing s. 1004.64, F.S., relating to the School of Engineering at Florida Gulf Coast University and specified bachelor's degrees; providing legislative intent for the repeal of certain sections; requiring each state university to identify and submit to the Board of Governors a list of certain rules that have been superseded by regulations; providing for submission of such rules and certain rules of the Board of Governors to the Department of State; authorizing the Department of State to remove rules from the Florida Administrative Code; providing an effective date.

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

Amendments were considered and adopted to conform **CS for CS for SB 1786** to **HB 7237**.

Pending further consideration of **CS for CS for SB 1786** as amended, on motion by Senator Oelrich, by two-thirds vote **HB 7237** was withdrawn from the Committee on Higher Education; and the Policy and Steering Committee on Ways and Means.

On motion by Senator Oelrich—

HB 7237—A bill to be entitled An act relating to postsecondary education; amending s. 110.181, F.S.; conforming a cross-reference to changes made by the act; amending ss. 112.19 and 112.191, F.S.; requiring the Board of Governors of the State University System to adopt

regulations rather than rules to implement certain educational benefits; amending s. 120.81, F.S.; providing that state universities are not required to file certain documents with the Administrative Procedures Committee; amending s. 282.0041, F.S.; revising definitions relating to information technology services to conform to changes made by the act; amending s. 282.703, F.S.; revising provisions relating to the participation of state universities in the SUNCOM Network; amending s. 282.706, F.S.; revising provisions relating to the use of the SUNCOM Network by state university libraries; amending s. 287.064, F.S.; conforming a cross-reference to changes made by the act; amending s. 1000.05, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to discrimination; amending s. 1001.705, F.S.; revising provisions relating to responsibility for the State University System under the State Constitution; deleting legislative findings and intent; providing the constitutional duties of the Board of Governors; providing the constitutional duties of the Legislature; deleting a duty relating to the participation of state universities in the SUNCOM Network; amending s. 1001.706, F.S.; revising powers and duties of the Board of Governors; providing that the Board of Governors has the authority to regulate the State University System and may adopt a regulation development procedure for the board and university boards of trustees to use in implementing their constitutional duties and responsibilities; authorizing the Board of Governors or its designee to adopt regulations; providing requirements for the regulation development procedure; providing requirements for judicial review of certain challenges; revising the Board of Governors' powers and duties relating to accountability and personnel; providing legislative intent that the Board of Governors align the missions of universities with certain factors; providing requirements for a mission alignment and strategic plan; affording opportunities to certain universities; amending s. 1001.72, F.S.; providing that the board of trustees is the university's contracting agent; creating s. 1004.015, F.S.; creating the Higher Education Coordinating Council; providing for membership; providing guiding principles for council recommendations to the Legislature, State Board of Education, and Board of Governors; amending s. 1004.03, F.S.; revising provisions relating to review and approval of new programs at state universities by the Board of Governors; requiring an annual report of the review of proposed new programs; eliminating the requirement that certain programs be approved by the Legislature; amending s. 1004.07, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to student withdrawal from courses due to military service; amending s. 1006.54, F.S.; requiring university boards of trustees to adopt regulations rather than rules relating to documents distributed to libraries; amending s. 1006.60, F.S.; revising provisions relating to state university codes of conduct to authorize the adoption of regulations rather than rules; amending s. 1006.65, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to safety issues in courses offered by state universities; amending ss. 1007.264 and 1007.265, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to admission and graduation requirements for students with disabilities; amending s. 1009.24, F.S.; reorganizing certain provisions of law relating to state university student fees; authorizing the Board of Governors to approve flexible tuition policies requested by a university board of trustees; providing that certain fees be based on reasonable costs of services and used for certain purposes; authorizing the Board of Governors to approve a proposal from a university board of trustees to establish a new student fee, increase the cap for an existing fee, or implement flexible tuition policies; providing guidelines for review of proposals; requiring an annual report; prohibiting certain fees from exceeding a specified amount, being included in certain scholarship awards, and being used for certain purposes; requiring a fee committee to make recommendations relating to a new fee; providing restrictions on fee increases; requiring the Board of Governors to adopt regulations; amending s. 1009.26, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to fee waivers; amending s. 1010.04, F.S.; providing that the Board of Governors shall adopt regulations rather than rules for purchases and leases; amending s. 1010.62, F.S.; defining the term "auxiliary enterprise" for purposes of revenue bonds and debt; amending s. 1011.43, F.S.; requiring university boards of trustees to adopt regulations rather than rules for administration of certain scholarships and loans; amending s. 1011.90, F.S.; revising provisions relating to management information maintained by the Board of Governors; amending s. 1013.02, F.S.; requiring the Board of Governors to adopt regulations rather than rules to implement provisions of law relating to educational facilities; amending s. 1013.10, F.S.; authorizing regulations for the use of educational buildings and grounds; amending ss. 1013.12 and 1013.28, F.S.; requiring the Board of

Governors to adopt regulations rather than rules relating to firesafety inspections and disposal of real property; amending s. 1013.30, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to university campus master plans; amending s. 1013.31, F.S.; requiring the Board of Governors to adopt regulations rather than rules for determining facility space needs; amending s. 1013.47, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to building standards; amending s. 1013.74, F.S.; authorizing the Board of Governors to adopt regulations rather than rules relating to authorization for fixed capital outlay projects; repealing s. 1001.74, F.S., relating to powers and duties of university boards of trustees; repealing s. 1004.21, F.S., relating to general provisions for state universities; repealing s. 1004.22(13), F.S., relating to rulemaking by a university board of trustees with respect to divisions of sponsored research; repealing s. 1004.38, F.S., relating to the master of science program in speech-language pathology at Florida International University; repealing s. 1004.381, F.S., relating to the bachelor of science nursing degree program at the University of West Florida; repealing s. 1004.3811, F.S., relating to the master of science degree programs in nursing and social work at the University of West Florida; repealing s. 1004.382, F.S., relating to the master's in social work program at Florida Atlantic University; repealing s. 1004.383, F.S., relating to a chiropractic medicine degree program at Florida State University; repealing s. 1004.386, F.S., relating to a bachelor of science degree program in long-term care administration at Florida Gulf Coast University; repealing s. 1004.64, F.S., relating to the School of Engineering at Florida Gulf Coast University and specified bachelor's degrees; providing legislative intent for the repeal of certain sections; requiring each state university to identify and submit to the Board of Governors a list of certain rules that have been superseded by regulations; providing for submission of such rules and certain rules of the Board of Governors to the Department of State; authorizing the Department of State to remove rules from the Florida Administrative Code; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1786** as amended and read the second time by title.

On motion by Senator Oelrich, by two-thirds vote **HB 7237** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Storms

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Jeff Atwater
President, The Florida Senate

April 27, 2010

Dear Mr. President:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment

For Term Ending

Board of Accountancy		
Appointees:	Borcheck, Teresa W.	10/31/2013
	Borders-Byrd, Cynthia	10/31/2011
	Caldwell, Maria E.	10/31/2011
	Durkin, William H.	10/31/2013
	Riggs, Stephen C. III	10/31/2012
	Robinson, Eric W.	10/31/2013
Board of Acupuncture		
Appointees:	Clancy, Melody J.	10/31/2013
	Rezmer, Barbara	10/31/2012
	Tian, Min	10/31/2013
Jacksonville Aviation Authority		
Appointees:	Kelly, A. L.	09/30/2013
	Weaver, Ronald M.	09/30/2013
Board of Architecture and Interior Design		
Appointees:	Bao-Garciga, Aida	10/31/2011
	Gozdz, Wanda E.	10/31/2012
	Johnson, James Emory	10/31/2013
Board of Athletic Training		
Appointees:	Christie, Kevin M. II	10/31/2013
	Clements, Barry D.	10/31/2011
	Frisby, David	10/31/2013
	Gomez, Gerardo	10/31/2010
	Harris, Brandon L.	10/31/2013
	Pass, Anthony N.	10/31/2011
Florida Board of Auctioneers		
Appointees:	Collins, Billy W.	10/31/2013
	D'Angelo, Pat Thomas	10/31/2011
	Moecker, Michael E.	10/31/2012
Greater Orlando Aviation Authority		
Appointees:	Calvet, Cesar E.	04/16/2012
	Colon, Joseph L.	04/16/2012
	Kruppenbacher, Frank	04/16/2014
	Palmer, James "Jim" R.	04/16/2012
	Pirozzolo, Jason	04/16/2014
Barbers' Board		
Appointee:	Stewart, Edwin A., Jr.	10/31/2013
Florida State Boxing Commission		
Appointees:	Jurado, Melody "Mel"	09/30/2011
	Stelnicki, James V.	09/30/2011
	Williams, Mark M.	09/30/2010
Florida Building Code Administrators and Inspectors Board		
Appointees:	Barthlow, Frederick A.	10/31/2012
	Demers, Gerry A.	10/31/2011
	Sasso, Nicholas	10/31/2011
Florida Building Commission		
Appointees:	Bahadori, Hamid R.	02/07/2013
	Dawkins, Donald A.	02/07/2013
	Gonzalez, Herminio F.	01/06/2013
	Goodloe, James E.	03/11/2013
	Greiner, Dale T.	01/09/2013
	Nicholson, Nicholas W.	01/13/2013
	Scherer, John J.	02/11/2013
	Schulte, Christopher P.	05/01/2011
Board of Chiropractic Medicine		
Appointee:	Wellikoff, Ronald J.	10/31/2013
Florida Citrus Commission		
Appointees:	Behr, Robert M.	05/31/2012
	Garavaglia, Michael J., Jr.	05/31/2012
	Story, Victor B., Jr.	05/31/2012
	Wheeler, David P.	05/31/2012

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Hillsborough County Civil Service Board		Board of Trustees of Indian River State College	
Appointees: Agliano, David W.	07/02/2013	Appointees: Davis, Vicki	05/31/2013
Butler, Victoria A.	07/02/2013	Rowley, Jane E.	05/31/2013
Kavouklis, Chris M.	07/02/2013	Board of Trustees of Florida Gateway College	
Swanson, Heidi	07/02/2013	Appointees: McInnis, Kathryn Land	05/31/2013
Board of Clinical Laboratory Personnel		Norris, Suzanne M.	05/31/2013
Appointees: Morgan, Michele I.	10/31/2012	Richardson, Julia Marcelle	05/31/2013
Norcia, Judy R.	10/31/2012	Board of Trustees of Lake-Sumter Community College	
Willis, Dean E.	10/31/2011	Appointees: Blankenship, R. Scott	05/31/2010
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling		Butler, Marcia M.	05/31/2013
Appointees: Barlow, Sandra M.	10/31/2010	Morris, Timothy "Tim"	05/31/2013
Day, William L.	10/31/2013	Odom, Margo S.	05/31/2013
White, Sue	10/31/2012	Board of Trustees of State College of Florida, Manatee- Sarasota	
Regulatory Council of Community Association Managers		Appointees: Beall, Beverly	05/31/2013
Appointees: Beswick, David L.	10/31/2012	Beruff, Carlos	05/31/2012
Brennan, Terence	10/31/2010	Miller, Joseph C., Jr.	05/31/2013
Moran, Kelly A.	10/31/2012	Saslaw, Jennifer Michell	05/31/2013
Rogers-Libert, Patricia	10/31/2011	Board of Trustees of Miami-Dade College	
Warren, Dawn	10/31/2013	Appointees: Bucelo, Armando J., Jr.	05/31/2013
Florida Communities Trust		Ferre, Helen A.	05/31/2013
Appointees: Alfonso, Albert E.	01/31/2013	Villamil, Marielena A.	05/31/2013
Lindblad, A. Erick	01/31/2013	Board of Trustees of North Florida Community College	
Board of Trustees of Brevard Community College		Appointees: Brothers, William L.	05/31/2010
Appointee: Landman, Alan H.	05/31/2013	Davis, Richard B., Jr.	05/31/2013
Board of Trustees of Broward College		Lyons, Ricky	05/31/2013
Appointee: Alveshire, Sean	05/31/2013	Williams, Michael R.	05/31/2013
Board of Trustees College of Central Florida		Board of Trustees of Northwest Florida State College	
Appointees: Balfour, Sandra	05/31/2013	Appointees: Foster, Paul A.	05/31/2013
Durrance, Robert E.	05/31/2013	Gillis, Rachel R.	05/31/2013
Ewers, Ronald L.	05/31/2013	Strauss, Marijo "Mary" D.	05/31/2013
Board of Trustees of Chipola College		Board of Trustees of Palm Beach State College	
Appointees: Bailey, Leisa H.	05/31/2013	Appointees: Talley, David H.	05/31/2013
Ryals, Daniel E. III	05/31/2013	Williams, Carolyn L.	05/31/2013
Stuart, Virginia "Gina" C.	05/31/2013	Board of Trustees of Pasco-Hernando Community College	
Board of Trustees of Daytona State College		Appointees: DiRienzo, John L., Jr.	05/31/2013
Appointees: Haas, Mary Ann	05/31/2013	Kilgore, Deborah G.	05/31/2013
Smith, John Gregory	05/31/2013	Musunuru, Rao	05/31/2013
Board of Trustees of Edison State College		Board of Trustees of Pensacola Junior College	
Appointees: Baquero, Washington D.	05/31/2013	Appointees: Carlan, Carol H.	05/31/2013
Berlam, Ann E.	05/31/2013	O'Connor, John L.	05/31/2013
Helphenstine, JoAnn P.	05/31/2010	Snider, Paul R.	05/31/2010
Parrish, Randall "Randy" T.	05/31/2012	Woll, Herbert	05/31/2013
Perry, Julia Greene	05/31/2012	Board of Trustees of Polk State College	
Vernon, Christopher T.	05/31/2013	Appointees: Garcia, Ricardo	05/31/2013
Board of Trustees of Florida State College at Jacksonville		Martinez, Teresa V.	05/31/2013
Appointees: Barcelo, Bruce E.	05/31/2013	Pinner, Ernest S.	05/31/2013
Corrigan, Michael L., Jr.	05/31/2010	Board of Trustees of St. Johns River Community College	
Thamm, Suanne Z.	05/31/2013	Appointees: Bradley, Rob	05/31/2013
Yates, Gwendolyn	05/31/2013	Leone, Diane P.	05/31/2013
Board of Trustees of Florida Keys Community College		Nelson, John, Jr.	05/31/2013
Appointees: Martin, Antoinette E.	05/31/2013	Board of Trustees of St. Petersburg College	
O'Bannon, Anne M.	05/31/2013	Appointee: Brett, Terrence E.	05/31/2013
Board of Trustees of Gulf Coast Community College		Board of Trustees of Santa Fe College	
Appointees: Butler, Denise D.	05/31/2012	Appointees: Hudson, Robert "R.C."	05/31/2011
Durden, Karen L.	05/31/2013	Jackson, Bessie G.	05/31/2013
Estes, Danny	05/31/2013	McRae, Arley	05/31/2013
Jenkins, Shirley J.	05/31/2013	Board of Trustees of Seminole State College	
Board of Trustees of Hillsborough Community College		Appointee: Drago, Cynthia L.	05/31/2013
Appointees: Reid, Randall H.	05/31/2013	Board of Trustees of South Florida Community College	
Watkins, Nancy Hemmingway	05/31/2013	Appointees: Backer, Timothy D.	05/31/2013

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
	05/31/2013	Hahn, Warren G.	10/31/2013
		Panigrahi, Bijay K.	10/31/2011
Board of Trustees of Tallahassee Community College		Wallis, H. Dann	10/31/2011
Appointees: Callen, Dana G.	05/31/2013	Young, Mary Martin	10/31/2011
Defoor, J. Allison II	05/31/2013		
Moon, Kimberle	05/31/2013	Environmental Regulation Commission	
Board of Trustees of Valencia Community College		Appointee: Meeker, Melissa L.	07/01/2011
Appointees: Buchanan, Jerry	05/31/2013	Commission on Ethics	
Grulich, Maria	05/31/2013	Appointees: Ford, Ivan Martin	06/30/2011
Kifer, Lori	05/31/2013	Maurer, Susan Horovitz	06/30/2011
Quittschreiber, Jo	05/31/2012	Rogers, Roy	06/30/2011
State of Florida Correctional Medical Authority		Board of Funeral, Cemetery, and Consumer Services	
Appointees: Abercrombie, David Earl	09/30/2012	Appointees: Anderson, Jean W.	09/30/2011
Bailey, John	07/01/2010	Brandenburg, Joseph A.	09/30/2013
Berjian, Richard A.	07/01/2011	Hall, Lewis	09/30/2013
Constantine, Robert J.	07/01/2013	Helm, Powell	09/30/2011
Dolan, Teresa A.	07/01/2012	Hubbell, Nancy G.	09/30/2013
Littles, Alma B.	09/30/2013	Huggins, Tracy L.	09/30/2011
Tedder, Deborah A.	09/30/2010	Stiegman, Donald L.	09/30/2013
Watson, Theresa M.	07/01/2012	Taylor, Virginia Rose	09/30/2011
Board of Cosmetology		Thomas-DeWitt, Gail	09/30/2013
Appointees: Jowers, Myra	10/31/2013	Board of Professional Geologists	
Ritenbaugh, Laurel K.	10/31/2012	Appointees: Caspary, Jorge R.	10/31/2012
Smith, Monica Schuloff	10/31/2011	Funderburk, James W.	10/31/2013
Board of Trustees for the Florida School for the Deaf and the Blind		Harmon, James J.	10/31/2011
Appointees: McCaul, Owen B.	12/10/2012	Poppell, Robert R.	10/31/2012
Rodriguez, Yolanda A.	11/13/2013	Board of Hearing Aid Specialists	
Ross, Carol	11/20/2013	Appointees: Ellsworth, Randy M.	10/31/2012
Wagner, Christopher D.	11/19/2012	Moore, Douglas R.	10/31/2012
Zavelson, Thomas M.	11/07/2011	Pickard, Robert E.	10/31/2013
Board of Dentistry		Higher Educational Facilities Financing Authority	
Appointees: Baker, Tamara "Tammy" S.	10/31/2012	Appointees: Czerniec, Timothy H.	01/17/2013
Campbell, Vicki H.	10/31/2012	Jones, Milton L., Jr.	01/17/2014
Kochenour, William Lewis II	10/31/2013	Nguyen, Luong V.	01/17/2011
Melzer, Carl J.	10/31/2011	Citrus County Hospital Board	
Morgan, J. Thaddeus	10/31/2011	Appointees: Frankel, Deborah Osmond	07/11/2013
Perdomo, Robert L. III	10/31/2012	Ressler, Deborah L.	07/05/2013
Stevens, Carol West	10/31/2013	Smallridge, Michael A.	07/07/2012
Florida Development Finance Corporation		Wood, James O.	07/08/2010
Appointees: de la Rosa, Jose Luis	05/02/2011	Board of Trustees of South Lake County Hospital District	
Reynolds, Rebecca E.	05/02/2010	Appointees: Jones, JoAnn	07/05/2012
Education Practices Commission		Smith, Linda J.	07/05/2011
Appointees: Harris, Annette Marcadis	07/13/2013	Solis, Carlos	07/05/2011
Jay, Maria M.	09/30/2013	Florida Housing Finance Corporation	
Lewis, Michael J.	08/17/2012	Appointees: Fairman, Kenneth J.	11/13/2010
Mitchell, Sherrie H.	07/13/2013	Hardy, Clifford B.	11/13/2012
Walker, Cindi	01/13/2013	Seroyer, Marilyn L.	11/13/2012
Florida Elections Commission		Stultz, Lynn M.	11/13/2012
Appointees: Faraj-Johnson, Alia	12/31/2011	Tylka, Leonard "Len" A., Jr.	11/13/2012
Jacobs, Ennis Leon, Jr.	12/31/2012	Florida Commission on Human Relations	
King, G. Gregory	12/31/2012	Appointees: Cannon, Gayle B.	09/30/2012
Rossin, Thomas "Tom" E.	12/31/2012	Elam, Donna M.	09/30/2012
Seymour, Brian M.	12/31/2012	Flom, Elena M.	09/30/2011
Electrical Contractors' Licensing Board		Gamero de Romano, Lizzette	09/30/2013
Appointee: Thomas, Noel H.	10/31/2012	Haynes, Watson L. II	09/30/2011
Board of Employee Leasing Companies		Singer, Gilbert M.	09/30/2010
Appointees: Dockery, Celeste D.	10/31/2011	Stall, William "Billy" Whitefox	09/30/2012
Finkelstein, Abram	10/31/2011	Thomas, Patty Ball	09/30/2010
Jones, John L.	10/31/2012	Valle, Mario	09/30/2011
Reeves, Keith W.	10/31/2012	Commission for Independent Education	
Board of Professional Engineers		Appointees: Bradley, Nancy M.	06/30/2012
Appointees: Batterson, Richard "Scott"	10/31/2013	Mulherin, Lynn	06/30/2012
Bauer, Christian S., Jr.	10/31/2012	Perez, Ernesto	06/30/2011
Charland, David O.	10/31/2012	Rodgers, Judith "Judy" K.	06/30/2011
		Royse, Marvin W.	06/30/2012

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Inland Navigation District		Board of Osteopathic Medicine	
Appointees: Barkett, Bruce	01/09/2013	Appointees: Escher, Allan R., Jr.	10/31/2011
Blow, John Carl	01/09/2013	Hayden, Anna Z.	10/31/2013
Bray, S. Norman	01/09/2013	Palladino, Rina	10/31/2011
Chappell, Tyler	01/09/2013	Board of Pharmacy	
Cuozzo, Donald J.	01/09/2013	Appointees: Garcia, Alberto L.	10/31/2013
Freeman, Nancy J.	01/09/2013	Griffin, Cynthia R.	10/31/2012
Juvenile Welfare Board of Pinellas County		Hayes, Carl "Fritz"	10/31/2011
Appointee: Sewell, James D.	08/11/2010	Melvin, Stephen E.	10/31/2010
Board of Landscape Architecture		Risch, Lorena	10/31/2010
Appointees: Delate, Joseph F.	10/31/2011	Salem, Ronald B.	10/31/2011
Paskey, Ernest L.	10/31/2010	Weizer, Michele	10/31/2012
Governor's Mansion Commission		Board of Physical Therapy Practice	
Appointee: Glover, Marla G.	09/30/2012	Appointees: Parker, Violet A.	10/31/2012
Atlantic States Marine Fisheries Commission		Petraglia, Gina C.	10/31/2013
Appointee: Orndorf, William R.	09/04/2010	Rust, Jack R.	10/31/2012
Board of Massage Therapy		Board of Pilot Commissioners	
Appointees: Burke-Wammack, Bridget K.	10/31/2012	Appointee: Viso, Jorge J.	10/31/2013
Ford, Karen Goff	10/31/2011	Board of Podiatric Medicine	
Hagen, Amy	10/31/2013	Appointees: Frisch, Dennis R.	10/31/2011
Nixon, Lydia R.	10/31/2013	Koppel, Scott T.	10/31/2013
Oliver, Lisa J.	10/31/2012	Tampa Port Authority	
Smallwood, Robert	10/31/2011	Appointees: Brown, William A.	11/15/2011
Stoehs, William F.	10/31/2010	Shipp, Lawrence R., Jr.	11/25/2013
Board of Medicine		Swindal, Stephen W.	02/06/2012
Appointees: Bearison, Fred	10/31/2013	Florida Prepaid College Board	
Farmer, Harry Frank, Jr.	10/31/2013	Appointees: Krayner, Anthony "Tony" C. III	06/30/2011
Goersch, Brigitte Rivera	10/31/2013	Ruggie, Thomas H.	06/30/2012
Levine, Bradley M.	10/31/2012	Stephany, Pamela	06/30/2010
Mullins, Donald E.	10/31/2012	Board of Psychology	
Nuss, Robert C.	10/31/2012	Appointees: Moore, Patrice	10/31/2010
Tucker, Elisabeth D.	10/31/2012	Orta, Luis E.	10/31/2010
Board of Nursing		Reiff, Harry J.	10/31/2011
Appointees: Colin, Jessie M.	10/31/2012	Public Employees Relations Commission	
Denker, Ann-Lynn	10/31/2012	Appointees: Delgado, John M.	01/01/2013
Gordon, Cathy A.	10/31/2013	Varn, Jessica Enciso	01/01/2014
Horton, Linda L.	10/31/2012	Chair, Public Employees Relations Commission	
Kemp, Barbara R.	10/31/2011	Appointee: Ray, Stephanie Williams	01/01/2012
Kolb, Maria E.	10/31/2013	Florida Real Estate Appraisal Board	
McDonough, John P.	10/31/2010	Appointee: Oretto, Evalyn F.	10/31/2011
Walker, Sandra L.	10/31/2012	Florida Real Estate Commission	
Board of Nursing Home Administrators		Appointees: Boring, Claude D.	10/31/2013
Appointees: Francoeur, Jeri H.	10/31/2010	DeNapoli, Richard L.	10/31/2013
Freeman, Patricia T.	10/31/2012	Furst, Darla Ann	10/31/2012
Rosenthal, Robert	10/31/2012	Guju, Michael J.	10/31/2012
Board of Occupational Therapy Practice		North Central Florida Regional Planning Council, Region 3	
Appointees: Banta, Kathleen	10/31/2011	Appointees: Haas, Sandra K.	10/01/2010
Dunbar, Sandra	10/31/2012	Maultsby, Charles T.	10/01/2012
Garcia, Laura A.	10/31/2012	Montgomery, James H.	10/01/2010
Hicks, Anthony J.	10/31/2013	Smith, Andrew P.	10/01/2012
Mullings, Phillip N., Sr.	10/31/2010	Thomas, Lorene J.	10/01/2012
Seiler, Florence	10/31/2010	Williams, Charles L.	10/01/2012
Watson, Carol Marie	10/31/2011	Williams, Michael R.	10/01/2012
Board of Opticianry		Northeast Florida Regional Planning Council, Region 4	
Appointees: Feroce, Antonio	10/31/2013	Appointees: Brown, Elaine	10/01/2010
Goodman, Barney F.	10/31/2011	Corrigan, Michael L., Jr.	10/01/2010
Slattery, Margaret E.	10/31/2010	Miller, Jane W.	10/01/2010
Stavros, Irene J.	10/31/2010	Register, Darryl E.	10/01/2012
Board of Optometry		Sgroi, Robert E.	10/01/2012
Appointee: Walker, Edward K.	10/31/2012	Smallwood, Kenneth E.	10/01/2010
Board of Orthotists and Prosthetists		Stern, Karen R.	10/01/2010
Appointees: Chmielewski, Thomas J.	10/31/2012	Vallencourt, Carol	10/01/2010
Panton, Hugh J.	10/31/2010		

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Williams, Larry	10/01/2012	Mastronicola, Arthur A., Jr.	10/31/2011
East Central Florida Regional Planning Council, Region 6		Chair, Unemployment Appeals Commission	
Appointees: Chase, Melanie F.	10/01/2012	Appointee: Forst, Alan Orantes	06/30/2013
DeMarco, Melissa "Mel"	10/01/2010	Governing Board of the Northwest Florida Water Management District	
Glover, Robert Alonza "Al"	10/01/2012	Appointees: Bloyd, Stephanie H.	03/01/2014
Groot, Lonnie N.	10/01/2011	Governing Board of the St. Johns River Water Management District	
Lesman, John G., Jr.	10/01/2012	Appointee: Miklos, John A.	03/01/2014
O'Keefe, Daniel T.	10/01/2012	Big Cypress Basin Board of the South Florida Water Management District	
Central Florida Regional Planning Council, Region 7		Appointees: Mac'Kie, Pamela S.	03/01/2011
Appointee: Rada-Pilkington, Erlinda "Linda"	10/01/2012	Sorey, John Francis III	03/01/2012
Tampa Bay Regional Planning Council, Region 8		Standridge, Noah	03/01/2012
Appointees: Collins, Jill M.	10/01/2010	Thomas, Fred N., Jr.	03/01/2011
Garcia, Julian, Jr.	10/01/2010	Governing Board of the Southwest Florida Water Management District	
Kersteen, Robert "Bob" A.	10/01/2010	Appointee: Pressman, Todd	03/01/2014
Kinnan, Harry G.	10/01/2010	Alafia River Basin Board of the Southwest Florida Water Management District	
Todd, Barbara Sheen	10/01/2010	Appointees: Johnson, Cheryl	03/01/2012
Southwest Florida Regional Planning Council, Region 9		Selvey, James D.	03/01/2011
Appointees: Holquist, Laura A.	10/01/2010	Coastal Rivers Basin Board of the Southwest Florida Water Management District	
Mazzarantani, George H.	10/01/2011	Appointees: Bunch, William Y.	03/01/2011
Messina, Andrea	10/01/2010	Matassa, Richard J.	03/01/2012
Mulhere, Robert J.	10/01/2011	Hillsborough River Basin Board of the Southwest Florida Water Management District	
Pass, Paul D.	10/01/2010	Appointees: Burt, George R.	03/01/2011
Treasure Coast Regional Planning Council, Region 10		Gilmore, Renee Annette-James	03/01/2012
Appointees: Balbis, Eduardo E.	10/01/2010	Nicolette, John M.	03/01/2011
Davis, Michael L.	10/01/2010	Manasota Basin Board of the Southwest Florida Water Management District	
Foley, Kevin J.	10/01/2012	Appointees: Bispham, Paul J.	03/01/2011
Hershey, Susan J.	10/01/2011	Strelec, Frank	03/01/2011
Parrish, Reece J.	10/01/2012	Peace River Basin Board of the Southwest Florida Water Management District	
Trias, Ramon	10/01/2011	Appointees: Lazzell, Rufus Colmore	03/01/2012
South Florida Regional Planning Council, Region 11		Samuels, Paul	03/01/2011
Appointees: Asseff, Patricia T.	10/01/2010	Trippensee, Frederick William	03/01/2012
Perez, Marta	10/01/2010	Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District	
Riesco, Jose	10/01/2010	Appointees: England, Terry Michael	03/01/2012
Walters, Sandra	10/01/2012	Ghovae, Housh	03/01/2012
Board of Respiratory Care		Hammer, Mitchell	03/01/2011
Appointees: Barrett, Kevin L.	10/31/2011	Withlacoochee River Basin Board of the Southwest Florida Water Management District	
Fields, Delbert "Dick" R.	10/31/2010	Appointees: Nathe, Candy L.	03/01/2012
Hendriksen, Peter J.	10/31/2010	Rice, Kelly S.	03/01/2011
Killion, Bradley E.	10/31/2011	Workers' Compensation Panel	
Sherrod, Bayyinah M.	10/31/2011	Appointee: Morrow, Terry	Pleasure of Governor
State Retirement Commission		Board of Trustees, Florida State University	
Appointees: Jackson, Priscilla Cheryl	12/31/2013	Appointee: Brooks, Derrick D.	01/06/2011
Laudicina, Carol L.	12/31/2012	Board of Trustees, University of Florida	
Jacksonville Port Authority		Appointee: Brown, C. David II	01/06/2015
Appointee: York, Joseph S.	09/30/2013	The following executive appointments were referred to the Senate Committee on Commerce and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Commerce considered and recommended the confirmation of the executive appointments. The Senate	
Space Florida			
Appointees: Baker, Silas K., Jr.	06/30/2012		
Ford, Kenneth M.	06/30/2012		
Haiko, Kenneth J.	06/30/2012		
Kompothecras, Gary	06/30/2012		
Board of Speech-Language Pathology and Audiology			
Appointees: Boyev, K. Paul	10/31/2013		
Johnson, Peter R.	10/31/2012		
Naulty, Joseph B.	10/31/2012		
Pendry, Barry L.	10/31/2010		
Steck, Stephen M.	10/31/2011		
Board of Professional Surveyors and Mappers			
Appointees: Ehmke, Howard J. II	10/31/2012		
Fusco, Nickolas R.	10/31/2012		
Greer, Sidney H.	10/31/2010		

Committee on Ethics and Elections did not consider the following executive appointments:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Directors, Enterprise Florida, Inc. Appointees: Beyrouti, Jay J. Phillips, Donald E.	07/01/2013 07/01/2011
Florida Commission on Tourism Appointees: Campbell, Harvey F. Christian, Ty Fouche', Julian E. Goldman, Richard B. Gustafson, Tammy S. Hertz, Andrew P. Lapi, Antonino R. Mares, Charles "Sonny" F. McQueen, Carol J. Perez, John J. Rose, Scott Stork, Thom Wert, Jack W. Wheeler, Harold D.	06/30/2013 06/30/2010 06/30/2012 06/30/2012 06/30/2012 06/30/2010 06/30/2012 06/30/2010 06/30/2013 06/30/2012 06/30/2010 07/30/2010 06/30/2012

The following executive appointments were referred to the Senate Committee on Communications, Energy, and Public Utilities and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Communications, Energy, and Public Utilities and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Energy and Climate Commission Appointees: Ferguson, Howell L. Harrison, Debra "Debbie" S.	09/30/2011 09/30/2011

The following executive appointments were referred to the Senate Committee on Communications, Energy, and Public Utilities and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Communications, Energy, and Public Utilities considered and recommended the confirmation of the executive appointments. The Senate Committee on Ethics and Elections did not consider the confirmation of the following executive appointments:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Energy and Climate Commission Appointees: Baughman McLeod, Kathy Clark, John "J.B." Boston Diaz, Nils J. Gladding, Nicholas C. Jackson, Timothy T. Murley, James F. Poindexter, Christian H.	09/30/2010 09/30/2011 09/30/2010 09/30/2012 09/30/2011 09/30/2011 09/30/2011

The following executive appointments were referred to the Senate Committee on Communications, Energy, and Public Utilities and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Communications, Energy, and Public Utilities considered and recommended the confirmation of the executive appointments. The Senate Committee on Ethics and Elections considered the executive appointments but the appointees were left pending and no recommendation was made:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Public Service Commission Appointees: Klement, David E. Stevens, Ben A. III	01/01/2014 01/01/2014

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Criminal Justice and the Senate

Committee on Ethics and Elections considered and recommended the following executive appointment:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Director, Office of Drug Control Appointee: Grant, Bruce D.	Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Criminal Justice considered and recommended the confirmation of the executive appointments. The Senate Committee on Ethics and Elections did not consider the following executive appointments:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc. Appointees: Lukis, Vicki L. Matza, Rochelle S. Medina, John A. Mehta, Radhika "Radha" V.	09/30/2010 09/30/2011 09/30/2012 09/30/2012

The following executive appointments were referred to the Senate Committee on Education Pre-K - 12 and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Education Pre-K - 12 and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the executive appointments:

<i>Office and Appointment</i>	<i>For Term Ending</i>
State Board of Education Appointees: Kaplan, Mark Martinez, Roberto Story, Susan N.	12/31/2013 12/31/2012 12/31/2013

The following executive appointments were referred to the Senate Committee on Education Pre-K - 12 and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Education Pre-K - 12 considered and recommended the confirmation of the executive appointments. The Senate Committee on Ethics and Elections did not consider the following executive appointments:

<i>Office and Appointment</i>	<i>For Term Ending</i>
State Board of Education Appointees: Padget, John R. Shanahan, Kathleen	12/31/2012 12/31/2013

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation considered and recommended the confirmation of the executive appointment. The Senate Committee on Ethics and Elections did not consider the following executive appointments:

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

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Executive Director, Fish and Wildlife Conservation Commission	

Office and Appointment
 Appointee: Wiley, Eugene Nichols II

For Term
Ending
 Pleasure of
 Commission

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education considered and recommended the confirmation of the executive appointments. The Senate Committee on Ethics and Elections did not consider the confirmation of the following executive appointments:

Governing Board of the St. Johns River Water Management District
 Appointees: Bournique, Douglas C. 03/01/2012
 Ghyabi, Maryam 03/01/2013
 Hamann, Richard 03/01/2013
 Tanzler, Hans G. III 03/01/2012

Office and Appointment *For Term*
Ending

Governing Board of the South Florida Water Management District
 Appointees: Collins, Joe E. II 03/01/2013
 Powers, Kevin P. 03/01/2013

Board of Governors of the State University System
 Appointees: Frost, Patricia 01/06/2017
 Hosseini, Morteza "Mori" 01/06/2017

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education considered and recommended the confirmation of the executive appointment. The Senate Committee on Ethics and Elections did not consider the confirmation of the following executive appointment:

Governing Board of the Southwest Florida Water Management District
 Appointees: Beruff, Carlos 03/01/2013
 Closshey, Jennifer E. 03/01/2013

Office and Appointment *For Term*
Ending

Governing Board of the Suwannee River Water Management District
 Appointee: Meece, Carl 03/01/2013

Board of Trustees, Florida A & M University
 Appointee: Badger, Solomon L. III 01/06/2015

The following executive appointment was referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment

For Term
Ending

Office and Appointment

For Term
Ending

Executive Director, Agency for Enterprise Information Technology
 Appointee: Taylor, David W. Pleasure of Governor and Cabinet

Board of Trustees, Florida A & M University
 Appointee: Turnbull, Marjorie R. 01/06/2015

The following executive appointments were referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment

For Term
Ending

Office and Appointment

For Term
Ending

Investment Advisory Council
 Appointees: Gidel, Robert H. 12/12/2012
 Grain, David J. 12/12/2012

Board of Trustees, Florida Atlantic University
 Appointee: Barbar, Anthony K.G. 01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education considered and recommended the confirmation of the executive appointments. The Senate Committee on Ethics and Elections did not consider the following executive appointments:

Participant Local Government Advisory Council
 Appointees: Elia, MaryEllen 01/12/2013
 Heffner, Patsy 01/12/2013
 Nicolai, Karen 01/12/2013
 Peterson, John Mark 01/12/2013
 Wishner, Roger B. 01/12/2013
 Wolfson, Daniel R. 01/12/2013

Office and Appointment *For Term*
Ending

Board of Trustees, Florida Atlantic University
 Appointees: Feder, David 01/06/2015
 Feingold, Jeffrey P. 01/06/2015
 Rubin, Robert 01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education considered and recommended the confirmation of the executive appointment. The Senate Committee on Ethics and Elections did not consider the following executive appointment:

Office and Appointment

For Term
Ending

Office and Appointment

For Term
Ending

Board of Governors of the State University System
 Appointees: Beard, Richard A. III 01/06/2017
 Colson, Dean C. 01/06/2017
 Parker, Ava L. 01/06/2012
 Rood, John Darrell 01/06/2017

Board of Trustees, University of Central Florida
 Appointee: Atchison, James "Jim" 01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Board of Trustees, University of Central Florida		
Appointees:	Gilley, Raymond	01/06/2015
	Grindstaff, Michael "Mickey" J.	01/06/2013
	Webster, Daniel	01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Board of Trustees, Florida State University		
Appointees:	Haggard, William Andrew	01/06/2015
	Hillis, Mark	01/06/2015
	Rolando, Margaret A.	01/06/2015

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education considered and recommended the confirmation of the executive appointment and the Senate Committee on Ethics and Elections did not consider the following executive appointment:

Office and Appointment

Board of Trustees, Florida State University		
Appointee:	Semler, Brent W.	01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Board of Trustees, Florida Gulf Coast University		
Appointees:	Corey, Adam B.	01/06/2015
	Hamilton, Ann H.	01/06/2015
	Morton, Edward Allen	01/06/2015
	Roepstorff, Robbie B.	01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Board of Trustees, Florida International University		
Appointees:	Alvarez, Cesar L.	01/06/2013
	Caruncho, Joseph L., Sr.	01/06/2015
	Kahn, Sidney Lawrence III	01/06/2011

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education considered and recommended the confirmation of the executive appointment. The Senate Committee on Ethics and Elections did not consider the following executive appointment:

Office and Appointment

Board of Trustees, New College of Florida		
Appointee:	Johnson, Robert "Bob" M.	01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Board of Trustees, New College of Florida		
Appointees:	Johnston, William R.	01/06/2015
	Saputo, John W.	01/06/2013
	Schulaner, Felice	01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Board of Trustees, University of Florida		
Appointees:	Criser, Marshall M. III	01/06/2015
	Roberts, Carolyn King	01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Board of Trustees, University of North Florida		
Appointees:	Greene, A. Hugh	01/06/2015
	Munoz, Oscar	01/06/2015
	Taylor, R. Bruce	01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Board of Trustees, University of South Florida		
Appointees:	Lamb, Brian D.	01/06/2015
	Mullis, Harold W., Jr.	01/06/2015
	Shinn, Byron E.	01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education considered and recommended the confirmation of the executive appointments. The Senate Committee on Ethics and Elections did not consider the following executive appointments:

Office and Appointment

Board of Trustees, University of South Florida		
Appointees:	Tomasino, Sherrill M.	01/06/2011
	Zimmerman, Jordan	01/06/2015

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education considered and recommended the confirmation of the executive appointments. The

Senate Committee on Ethics and Elections did not consider the following executive appointments:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Trustees, University of West Florida		
Appointees: Bear, Lewis, Jr.	01/06/2015	
Jones, Robert L.	01/06/2015	

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Trustees, University of West Florida		
Appointee: Terry, Bentina C.	01/06/2015	

The following executive appointments were referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Transportation considered and recommended the confirmation of the executive appointments. The Senate Committee on Ethics and Elections did not consider the following executive appointments:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Tampa-Hillsborough County Expressway Authority		
Appointees: Phillips, Donald E.	07/01/2012	
Stokes, Curtis	07/01/2013	

The following executive appointment was referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Transportation and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Tampa-Hillsborough County Expressway Authority		
Appointee: Smith, Rebecca J.	07/01/2011	

The following executive appointments were referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Transportation and the Senate Committee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Florida Transportation Commission		
Appointees: Conrecode, Thomas E.	09/30/2011	
Lanahan, Martha "Marty" T.	09/30/2013	
Mazurkiewicz, Joseph "Joe" M.,	09/30/2011	
Rose, Manuel "Manny" S.	09/30/2011	
Walton, Garrett W.	09/30/2011	

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation was removed as a reference. The Senate Committee on Ethics and Elections considered and recommended the following executive appointments:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Governing Board of the Northwest Florida Water Management District		
Appointees: Estes, Joyce	03/01/2013	
Pate, Jerome K.	03/01/2013	
Rish, Ralph P.	03/01/2012	

Office and Appointment

Governing Board of the South Florida Water Management District		<i>For Term Ending</i>
Appointees: Batchelor-Robjohns, Anne, "Sandy"	03/01/2012	
Waldman, Glenn J.	03/01/2014	

Governing Board of the Southwest Florida Water Management District		
Appointee: Combee, C.A. "Neil", Jr.	03/01/2013	

Governing Board of the Suwannee River Florida Water Management District		
Appointees: Alexander, Alphonas	03/01/2014	
Curtis, Donald Raymond "Ray" II	03/01/2011	
Fraleigh, James L.	03/01/2013	

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation was removed as a reference. The Senate Committee on Ethics and Elections did not consider the following executive appointment:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Governing Board of the Suwannee River Florida Water Management District		
Appointee: Williams, Guy N.	03/01/2014	

The Senate Committee on Ethics and Elections conducted an inquiry concerning the qualifications of the appointees, however, the Committee on Ethics and Elections did not hold a public hearing for the following appointees during the 2010 Regular Session of the Florida Legislature:

Billy W. Collins, Pat Thomas D'Angelo, Michael E. Moecker, Edwin A. Stewart, Ronald J. Wellikoff, Chris M. Kavouklis, Sandra M. Barlow, Sue White, David L. Beswick, Randall H. Reid, Richard A. Berjian, Robert J. Constantine, Teresa A. Dolan, Theresa M. Watson, Myra Jowers, Carol West Stevens, Maria M. Jay, Alia Faraj-Johnson, Ennis Leon Jacobs, Thomas "Tom" E. Rossin, Brian M. Seymour, Celeste D. Dockery, John L. Jones, Keith W. Reeves, Richard "Scott" Batterson, Warren G. Hahn, Melissa L. Meeker, Ivan Martin Ford, Susan Horovitz Maurer, Roy Rogers, Curtis Stokes, James W. Funderburk, Randy M. Ellsworth, Douglas R. Moore, Robert E. Pickard, Timothy H. Czerniec, Lizzette Gamero de Romano, Watson L. Haynes, Mario Valle, Amy Hagen, Lydia R. Nixon, Lisa J. Oliver, Cathy A. Gordon, Maria E. Kolb, Antonio Feroce, Edward K. Walker, Alberto L. Garcia, Gina C. Petraglia, Jorge J. Viso, Scott T. Koppel, Jessica Encisco Varn, Richard L. DeNapoli, Lorene J. Thomas, Michael R. Williams, Michael L. Corrigan, Larry Williams, Melanie F. Chase, Robert Alonza "Al" Glover, John G. Lesman, Daniel T. O'Keefe, Erlinda "Linda" Rada-Pilkington, Kevin J. Foley, Reece J. Parrish, Sandra Walters, Delbert "Dick" E. Fields, Stephanie H. Bloyd, John A. Miklos, Anne "Sandy" Batchelor-Robjohns, Glenn J. Waldman, Fred N. Thomas, Todd Pressman, Guy N. Williams, Terry Morrow, Derrick D. Brooks, C. David Brown

Except as specifically noted above, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence presented at the public hearing, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend pursuant to the authority granted in Article IV, Section 6 (a), Florida Constitution, and in accordance with Section 114.05(1), Florida Statutes:

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2010 Regular Session; and
- (3) there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
JD Alexander, Chair

Senator Alexander called for a division of the question to remove the appointments of David E. Klement and Ben A. Stevens as members of the Florida Public Service Commission from the report and that all other appointments contained therein be confirmed. The motion was adopted and the Senate confirmed the appointments identified in the report of the committee to the offices and for the terms indicated.

The vote was:

Yeas—39

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

Nays—None

Senator Alexander moved that the Senate confirm the appointment of David E. Klement to the Florida Public Service Commission for a term ending January 1, 2014. The motion failed and the Senate refused to confirm the appointment.

The vote was:

Yeas—17

Mr. President	Dockery	Justice
Bennett	Fasano	Lynn
Constantine	Garcia	Oelrich
Crist	Gelber	Rich
Detert	Jones	Storms
Diaz de la Portilla	Joyner	

Nays—21

Alexander	Haridopolos	Siplin
Altman	Hill	Smith
Aronberg	Lawson	Sobel
Baker	Negron	Thrasher
Dean	Peaden	Villalobos
Gaetz	Richter	Wilson
Gardiner	Ring	Wise

Senator Alexander moved that the Senate confirm the appointment of Ben A. Stevens to the Florida Public Service Commission for a term ending January 1, 2014. The motion failed and the Senate refused to confirm the appointment.

The vote was:

Yeas—14

Mr. President	Dockery	Justice
Bennett	Fasano	Lynn
Constantine	Gaetz	Oelrich
Dean	Garcia	Villalobos
Detert	Jones	

Nays—23

Alexander	Altman	Aronberg
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Crist	Lawson	Smith
Diaz de la Portilla	Negron	Sobel
Gardiner	Peaden	Storms
Gelber	Rich	Thrasher
Haridopolos	Richter	Wilson
Hill	Ring	Wise
Joyner	Siplin	

SPECIAL ORDER CALENDAR, continued

CS for CS for SB 262—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising definitions relating to agency inspectors general to include the Florida Housing Finance Corporation; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to include an element for affordable housing for seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents which are paid into the State Treasury to the credit of the State Housing Trust Fund; amending s. 420.0003, F.S.; providing additional policy guidelines under the state housing strategy for the development of programs for housing production or rehabilitation; including the needs of persons with special needs in the strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and "person with special needs"; conforming cross-references; amending s. 420.0006, F.S.; deleting provisions that require the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.506, F.S.; providing for the appointment and removal of an inspector general for the Florida Housing Finance Corporation; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; conforming a cross-reference; revising the corporation's powers relating to criteria for establishing a preference for developers and general contractors who are domiciled in the state or have substantial experience in developing affordable housing; requiring that the corporation adopt rules applying the criteria to any competitive program; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; requiring a specified review committee to include projects that reserve units for persons with special needs in its evaluation and competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund which are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 262** to **CS for CS for CS for HB 665**.

Pending further consideration of **CS for CS for SB 262** as amended, on motion by Senator Bennett, by two-thirds vote **CS for CS for CS for HB 665** was withdrawn from the Committees on Community Affairs; and Finance and Tax.

On motion by Senator Bennett, the rules were waived and—

CS for CS for CS for HB 665—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising the definition of "state agency" to include the Florida Housing Finance Corporation; revising the definition of "agency head" to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to include an element for affordable housing for certain seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from

the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; including the needs of persons with special needs in the state housing strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and "person with special needs"; conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.; providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 262** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 665** was placed on the calendar of Bills on Third Reading.

On motion by Senator Villalobos—

SB 2252—A bill to be entitled An act relating to the Legislature; providing a short title; amending s. 11.143, F.S.; eliminating the authority of members of a legislative committee to administer certain oaths and affirmations to witnesses; eliminating penalties for false swearing before a legislative committee; conforming to the creation of new provisions relating to oaths and affirmations before a legislative committee; creating s. 11.1435, F.S.; requiring that persons addressing a legislative committee take an oath or affirmation of truthfulness; providing exceptions; requiring that a member of the legislative committee administer the oath or affirmation; providing criminal penalties for certain false statements before a legislative committee; authorizing the use of a signed appearance card in lieu of an oral oath or affirmation; prescribing conditions related to the use of such card; providing for penalties for making a false statement after signing such card; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Villalobos moved the following amendment which was adopted:

Amendment 1 (791732) (with title amendment)—Delete lines 107-123 and insert:

(b) Paragraph (a) does not apply to a child, if the chair of the committee determines the child understands the duty to tell the truth or the duty not to lie. Notwithstanding the exception prescribed in this paragraph, a standing or select committee, or any subcommittee thereof, may, if it deems necessary, require a child who addresses the committee to take an

oath or affirmation of truthfulness as provided in this section and subject to the penalties provided in this section.

And the title is amended as follows:

Delete line 12 and insert: truthfulness; providing an exception; requiring that a

Pursuant to Rule 4.19, **SB 2252** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1234** was deferred.

On motion by Senator Altman, by two-thirds vote **CS for HB 969** was withdrawn from the Committees on Commerce; and Transportation and Economic Development Appropriations; and the Policy and Steering Committee on Ways and Means.

On motion by Senator Altman—

CS for HB 969—A bill to be entitled An act relating to space and aerospace infrastructure; creating s. 331.370, F.S.; revising authorized uses of specified Space Florida appropriations; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1776** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 969** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for CS for SB 1234—A bill to be entitled An act relating to licensing standards for child care facilities; providing a short title; amending s. 402.305, F.S.; providing minimum licensing requirements for window blinds and other window coverings; requiring child care facilities to retrofit window blinds, window coverings, pull cords, or inner cords by a specified date in order to eliminate cords that pose a risk of strangulation; providing a definition; authorizing the Department of Children and Family Services to provide certain information regarding window blinds and window coverings; authorizing the department to adopt rules; providing an effective date.

—was read the second time by title.

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 was adopted:

Amendment 1 (720950) (with title amendment)—Between lines 70 and 71 insert:

Section 3. Section 402.302, Florida Statutes, is amended to read:

402.302 Definitions.—*As used in this chapter, the term:*

(1) "Child care" means the care, protection, and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.

(2) "Child care facility" includes any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included:

(a) Public schools and nonpublic schools and their integral programs, except as provided in s. 402.3025;

(b) Summer camps having children in full-time residence;

- (c) Summer day camps;
- (d) Bible schools normally conducted during vacation periods; and
- (e) Operators of transient establishments, as defined in chapter 509, which provide child care services solely for the guests of their establishment or resort, provided that all child care personnel of the establishment are screened according to the level 2 screening requirements of chapter 435.

(3) “Child care personnel” means all owners, operators, employees, and volunteers working in a child care facility. The term does not include persons who work in a child care facility after hours when children are not present or parents of children in Head Start. For purposes of screening, the term includes any member, over the age of 12 years, of a child care facility operator’s family, or person, over the age of 12 years, residing with a child care facility operator if the child care facility is located in or adjacent to the home of the operator or if the family member of, or person residing with, the child care facility operator has any direct contact with the children in the facility during its hours of operation. Members of the operator’s family or persons residing with the operator who are between the ages of 12 years and 18 years shall not be required to be fingerprinted but shall be screened for delinquency records. For purposes of screening, the term shall also include persons who work in child care programs which provide care for children 15 hours or more each week in public or nonpublic schools, summer day camps, family day care homes, or those programs otherwise exempted under s. 402.316. The term does not include public or nonpublic school personnel who are providing care during regular school hours, or after hours for activities related to a school’s program for grades kindergarten through 12. A volunteer who assists on an intermittent basis for less than 40 hours per month is not included in the term “personnel” for the purposes of screening and training, provided that the volunteer is under direct and constant supervision by persons who meet the personnel requirements of s. 402.305(2). Students who observe and participate in a child care facility as a part of their required coursework shall not be considered child care personnel, provided such observation and participation are on an intermittent basis and the students are under direct and constant supervision of child care personnel.

(4) “Department” means the Department of Children and Family Services.

(5) “Drop-in child care” means child care provided occasionally in a child care facility in a shopping mall or business establishment where a child is in care for no more than a 4-hour period and the parent remains on the premises of the shopping mall or business establishment at all times. Drop-in child care arrangements shall meet all requirements for a child care facility unless specifically exempted.

(6) “Evening child care” means child care provided during the evening hours and may encompass the hours of 6:00 p.m. to 7:00 a.m. to accommodate parents who work evenings and late-night shifts.

(7) “Family day care home” means an occupied residence in which child care is regularly provided for children from at least two unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. *Household children under 13 years of age, when on the premises of the family day care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home.* A family day care home shall be allowed to provide care for one of the following groups of children, which shall include *household* those children under 13 years of age ~~who are related to the caregiver:~~

- (a) A maximum of four children from birth to 12 months of age.
- (b) A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.
- (c) A maximum of six preschool children if all are older than 12 months of age.
- (d) A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age.

(8) “Household children” means children who are related by blood, marriage, or legal adoption to, or who are the legal wards of, the family day care home operator, the large family child care home operator, or an

adult household member who permanently or temporarily resides in the home. Supervision of the operator’s household children shall be left to the discretion of the operator unless those children receive subsidized child care to be in the home.

(9)(8) “Large family child care home” means an occupied residence in which child care is regularly provided for children from at least two unrelated families, which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit, and which has at least two full-time child care personnel on the premises during the hours of operation. One of the two full-time child care personnel must be the owner or occupant of the residence. A large family child care home must first have operated as a licensed family day care home for 2 years, with an operator who has had a child development associate credential or its equivalent for 1 year, before seeking licensure as a large family child care home. *Household children under 13 years of age, when on the premises of the large family child care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home.* A large family child care home shall be allowed to provide care for one of the following groups of children, which shall include *household* those children under 13 years of age ~~who are related to the caregiver:~~

- (a) A maximum of 8 children from birth to 24 months of age.
- (b) A maximum of 12 children, with no more than 4 children under 24 months of age.

(10)(9) “Indoor recreational facility” means an indoor commercial facility which is established for the primary purpose of entertaining children in a planned fitness environment through equipment, games, and activities in conjunction with food service and which provides child care for a particular child no more than 4 hours on any one day. An indoor recreational facility must be licensed as a child care facility under s. 402.305, but is exempt from the minimum outdoor-square-footage-per-child requirement specified in that section, if the indoor recreational facility has, at a minimum, 3,000 square feet of usable indoor floor space.

(11)(10) “Local licensing agency” means any agency or individual designated by the county to license child care facilities.

(12)(11) “Operator” means any onsite person ultimately responsible for the overall operation of a child care facility, whether or not he or she is the owner or administrator of such facility.

(13)(12) “Owner” means the person who is licensed to operate the child care facility.

(14)(13) “Screening” means the act of assessing the background of child care personnel and volunteers and includes, but is not limited to, employment history checks, local criminal records checks through local law enforcement agencies, fingerprinting for all purposes and checks in this subsection, statewide criminal records checks through the Department of Law Enforcement, and federal criminal records checks through the Federal Bureau of Investigation.

(15)(14) “Secretary” means the Secretary of Children and Family Services.

(16)(15) “Substantial compliance” means that level of adherence which is sufficient to safeguard the health, safety, and well-being of all children under care. Substantial compliance is greater than minimal adherence but not to the level of absolute adherence. Where a violation or variation is identified as the type which impacts, or can be reasonably expected within 90 days to impact, the health, safety, or well-being of a child, there is no substantial compliance.

(17)(16) “Weekend child care” means child care provided between the hours of 6 p.m. on Friday and 6 a.m. on Monday.

Section 4. Section 402.318, Florida Statutes, is amended to read:

402.318 Advertisement.—No person, as defined in s. 1.01(3), shall advertise or publish an advertisement for a child care facility, family day care home, or large family child care home without including within such advertisement the state or local agency license number or registration number of such facility or home. Violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

Delete line 13 and insert: authorizing the department to adopt rules; amending s. 402.302, F.S.; revising and providing definitions; providing for certain household children to be included in calculations regarding the capacity of licensed family day care homes and large family child care homes; providing conditions for supervision of household children of operators of family day care homes and large family child care homes; amending s. 402.318, F.S.; revising advertising requirements applicable to child care facilities; providing penalties; providing

Pursuant to Rule 4.19, **CS for CS for SB 1234** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Joyner—

SB 194—A bill to be entitled An act relating to violations of injunctions for protection; amending s. 784.047, F.S.; adding circumstances that violate an injunction for protection against repeat violence, sexual violence, or dating violence; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 194** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

CS for CS for SB 346—A bill to be entitled An act relating to working waterfront property; creating s. 193.704, F.S.; providing definitions; specifying properties that are eligible for classification as working waterfront property; requiring the assessment of working waterfront property based on current use; specifying a methodology for determining assessed value; requiring property appraisers to consider specified factors in assessing certain property; providing for assessment of a portion of property within a working waterfront property which is not used as working waterfront property; requiring an application for classification of property as working waterfront property; specifying application requirements; authorizing a property appraiser to approve an application not filed by a certain deadline due to extenuating circumstances; providing for waiver of annual application requirements; providing for loss of classification upon a change of ownership or use; requiring property owners to notify the property appraiser of changes in use or ownership of property; imposing a penalty for failure to notify the property appraiser of an event resulting in the unlawful or improper classification of property as working waterfront property; requiring imposition of tax liens to recover penalties and interest; requiring property appraisers to make a list relating to applications to certify property as working waterfront property; providing an appeal process for applications that have been denied; amending s. 195.073, F.S.; providing for the classification of land as working waterfront property on an assessment roll; providing emergency rulemaking authority; providing for retroactive application; providing an alternate application date for 2010; providing an effective date.

—was read the second time by title.

SENATOR VILLALOBOS PRESIDING

Pursuant to Rule 4.19, **CS for CS for SB 346** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hill, by two-thirds vote **CS for HB 523** was withdrawn from the Committees on Judiciary; and Governmental Oversight and Accountability.

On motion by Senator Hill, by unanimous consent—

CS for HB 523—A bill to be entitled An act relating to the Florida Civil Rights Hall of Fame; creating s. 760.065, F.S.; providing legislative intent; providing for the establishment and location of the hall of fame; providing for the selection of hall-of-fame members by the Governor upon recommendations by the Florida Commission on Human Relations; providing criteria for such recommendations; authorizing the commis-

sion to set time periods for the nomination and selection of hall-of-fame members; assigning responsibility for certain hall-of-fame costs; providing an effective date.

—a companion measure, was taken up out of order and substituted for **CS for SB 1354** and read the second time by title.

On motion by Senator Hill, by two-thirds vote **CS for HB 523** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Bullard

The Senate resumed consideration of—

CS for CS for SB 1604—A bill to be entitled An act relating to penalties for violation of traffic laws; amending s. 318.14, F.S.; providing for a person charged with a noncriminal traffic infraction to make periodic payments when paying civil penalties and fees; providing for certain persons cited for specified offenses to submit proof of compliance to a designated official; providing alternative citation disposition procedures for the offense of operating a motor vehicle with a license that has been suspended for failure to pay certain financial obligations; amending s. 318.15, F.S.; providing for suspension of a driver's license for failure to enter into or comply with the terms of a penalty payment plan; providing for reinstatement of the suspended license; amending s. 322.0261, F.S.; requiring the Department of Highway Safety and Motor Vehicles to identify persons who have committed violations of specific statutes and requiring such persons to complete a driver improvement course; requiring the department to send a notice to such persons; amending s. 322.331, F.S.; providing for the removal of the designation as a habitual traffic offender upon proof of compliance with certain statutory provisions; amending s. 322.34, F.S.; authorizing certain persons cited for specified offenses to enter a plea of nolo contendere and submit proof of compliance to the clerk of the court, a designated official, or an authorized operator of a traffic violations bureau; providing an effective date.

—which was previously considered this day. Pending **Amendment 1A (111336)** by Senator Villalobos was withdrawn. The question recurred on pending **Amendment 1 (174536)** by Senator Smith. **Amendment 1 (174536)** was withdrawn.

Pending further consideration of **CS for CS for SB 1604**, on motion by Senator Smith, by two-thirds vote **CS for HB 795** was withdrawn from the Committees on Transportation; Community Affairs; Judiciary; and Transportation and Economic Development Appropriations.

On motion by Senator Smith—

CS for HB 795—A bill to be entitled An act relating to penalties for violations of traffic laws; amending s. 318.14, F.S.; providing for a person charged with a noncriminal traffic infraction to make periodic payments to pay civil penalties and fees; providing for certain persons cited for specified offenses to provide proof of compliance to a designated official; providing alternative citation disposition procedures for the offense of operating a motor vehicle with a license that has been suspended for

failure to pay certain financial obligations or to comply with specified education requirements; amending s. 318.15, F.S.; providing for suspension of a driver's license for failure to enter into or comply with the terms of a penalty payment plan; providing for reinstatement of the suspended license; amending s. 322.331, F.S.; providing for the removal of a habitual traffic offender designation upon proof of compliance with statutory provisions by certain offenders; amending s. 322.34, F.S.; providing alternative citation disposition procedures for the offense of knowingly operating a motor vehicle with a license that has been suspended for failure to pay certain financial obligations or failure to comply with specified education requirements; providing that adjudication shall be withheld under the alternative disposition and that such withholding of adjudication is not a conviction; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1604** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 795** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean—

CS for CS for CS for SB 354—A bill to be entitled An act relating to mobile home and recreational vehicle parks; amending s. 513.01, F.S.; providing and revising definitions; amending s. 513.012, F.S.; specifying laws and rules to be enforced by the Department of Health; providing for the adoption of rules; amending s. 513.014, F.S.; revising applicability of recreational vehicle park requirements to mobile home parks; amending s. 513.02, F.S.; revising permit requirements; providing requirements for construction review and approval for private parks and camps; requiring the department to adopt rules; amending s. 513.03, F.S.; revising requirements for permit applications; amending s. 513.045, F.S.; revising fees charged to operators of certain parks or camps; authorizing persons to request from the department a review of plans for a proposed park or camp; requiring certain construction and renovation plans to be submitted to the department for review and approval; amending s. 513.05, F.S.; providing the department with additional rulemaking authority; amending s. 513.054, F.S.; providing that an operator of a mobile home or recreational vehicle park or camp who refuses to pay the operating permit fee required by law or who fails, neglects, or refuses to obtain an operating permit for the park commits a misdemeanor of the second degree; amending s. 513.055, F.S.; conforming permit terminology; amending s. 513.10, F.S.; providing that a person who operates a mobile home, lodging, or recreational vehicle park without a permit commits a misdemeanor of the second degree; repealing s. 513.111, F.S., relating to the posting and advertising of certain site rates; creating s. 513.1115, F.S.; providing requirements for the establishment of separation and setback distances; amending s. 513.112, F.S.; deleting a provision requiring guest registers to be made available for inspection by the department at any time; amending s. 513.115, F.S.; revising requirements for the handling of unclaimed property; amending s. 513.13, F.S.; providing a penalty for failure to depart from a park under certain circumstances; barring an operator from certain liability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 354** was placed on the calendar of Bills on Third Reading.

CS for SB 518—A bill to be entitled An act relating to marketable record title; amending s. 712.03, F.S.; revising the exceptions to marketability by including any right, title, or interest held by the Board of Trustees of the Internal Improvement Trust Fund, any water management district, or the United States; amending s. 712.04, F.S.; conforming provisions to changes made by the act; amending s. 712.06, F.S.; revising the noticing requirements for a statement of marketable title action; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 518** to **CS for CS for HB 435**.

Pending further consideration of **CS for SB 518** as amended, on motion by Senator Baker, by two-thirds vote **CS for CS for HB 435** was

withdrawn from the Committees on Judiciary; and Environmental Preservation and Conservation.

On motion by Senator Baker—

CS for CS for HB 435—A bill to be entitled An act relating to marketable record title; amending s. 712.03, F.S.; revising the exceptions to marketability by including any right, title, or interest held by the Board of Trustees of the Internal Improvement Trust Fund, any water management district, or the United States; amending s. 712.04, F.S.; conforming provisions to changes made by the act; amending s. 712.06, F.S.; providing requirements for a recorded notice to preserve a claim of right; providing an effective date.

—a companion measure, was substituted for **CS for SB 518** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 435** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hill—

CS for SB 796—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending ss. 741.30 and 784.046, F.S.; subject to available funding, directing the Florida Association of Court Clerks to develop an automated process by which a petitioner may request notification of service of the injunction for protection; requiring that notice to the petitioner be given to the petitioner within a specified time; providing for the content of the notice; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 796** was placed on the calendar of Bills on Third Reading.

CS for SB 1052—A bill to be entitled An act relating to solid waste disposal; amending s. 403.708, F.S.; authorizing the disposal of yard trash at a Class I landfill if the landfill has a system for collecting landfill gas and arranging for the reuse of the gas and has obtained a minor permit modification; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1052** to **CS for HB 569**.

Pending further consideration of **CS for SB 1052** as amended, on motion by Senator Gaetz, by two-thirds vote **CS for HB 569** was withdrawn from the Committee on Environmental Preservation and Conservation.

On motion by Senator Gaetz, the rules were waived and—

CS for HB 569—A bill to be entitled An act relating to landfills; amending s. 403.708, F.S.; authorizing the disposal of yard trash at specified Class I landfills; requiring such landfills to obtain a modified operating permit; requiring permittees to certify certain collection and beneficial use of landfill gas; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1052** as amended and read the second time by title.

MOTION

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

Senator Gaetz moved the following amendment which was adopted:

Amendment 1 (824484) (with title amendment)—Delete lines 17-41 and insert:

(c)1. Yard trash in lined landfills classified by department rule as Class I landfills, *unless the Class I landfill uses an active gas-collection system to collect landfill gas generated at the disposal facility and pro-*

vides or arranges for a beneficial use of the gas. A Class I landfill may also accept yard trash for the purpose of mulching and using the yard trash to provide landfill cover for municipal solid waste disposed at the landfill. The department shall, by rule, develop and adopt a methodology to award recycling credit for the use or disposal of yard trash at a Class I landfill having a gas-collection system that makes beneficial use of the collected landfill gas. A qualifying permitted Class I landfill must obtain a minor permit modification to its operating permit which describes the beneficial use being made of the landfill gas and modifies the facility's operation plan before receiving yard trash as authorized under this subparagraph. The permittee must certify that gas collection and beneficial use will continue after closure of the disposal facility that is accepting yard trash. If the landfill is located in a county that owns and operates a compost facility, waste-to-energy facility, or biomass facility that sells renewable energy to a public utility and that is authorized to accept yard trash, the department shall provide the county with notice of, and opportunity to comment on, the application for permit modification.

2. Yard trash that is source separated from solid waste may be accepted at a solid waste disposal area if ~~where~~ separate yard trash composting facilities are provided and maintained. The department recognizes that incidental amounts of yard trash may be disposed of in Class I landfills. In any enforcement action taken pursuant to this paragraph, the department shall consider the difficulty of removing incidental amounts of yard trash from a mixed solid waste stream. *This limited exception applies in all units of local government, including, but not limited to, municipalities, counties, and special districts. However, the exception does not apply to a county that currently operates under a constitutional home rule charter authorized in 1956 in a statewide referendum. The limited exception to the ban on disposing of yard trash in a Class I landfill is not intended to have a material impact on current operations at existing waste-to-energy or biomass facilities.*

And the title is amended as follows:

Delete lines 2-6 and insert: An act relating to solid waste disposal; amending s. 403.708, F.S.; authorizing the disposal of yard trash at a Class I landfill if the landfill has a system for collecting landfill gas and arranging for the reuse of the gas; requiring the Department of Environmental Protection to develop and adopt a methodology to award recycling credit for such use; requiring the landfill to obtain a minor permit modification to its operating permit before receiving yard trash; specifying which entities of local government may accept incidental amounts of yard trash at a landfill;

Pursuant to Rule 4.19, **CS for HB 569** as amended was placed on the calendar of Bills on Third Reading.

CS for SB 1054—A bill to be entitled An act relating to public records and meetings; amending s. 112.324, F.S.; revising an exemption from public-record and public-meeting requirements which is provided for complaints and related records in the custody of and proceedings conducted by a county or municipality that has established a local investigatory process to enforce more stringent standards of conduct and disclosure requirements; providing for future repeal and legislative review under the Open Government Sunset Review Act of revisions to the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1054** to **CS for HB 551**.

Pending further consideration of **CS for SB 1054** as amended, on motion by Senator Altman, by two-thirds vote **CS for HB 551** was withdrawn from the Committees on Community Affairs; Ethics and Elections; and Governmental Oversight and Accountability.

On motion by Senator Altman—

CS for HB 551—A bill to be entitled An act relating to public records and meetings; amending s. 112.324, F.S.; revising an exemption from public record and public meeting requirements which is provided for complaints and related records in the custody of and proceedings conducted by a county or municipality that has established a local investigatory process to enforce more stringent standards of conduct and

disclosure requirements; providing for future repeal and legislative review under the Open Government Sunset Review Act of revisions to the exemption; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 1054** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 551** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1056—A bill to be entitled An act relating to the Local Government Prompt Payment Act; amending s. 218.72, F.S.; revising definitions; amending s. 218.735, F.S.; revising provisions relating to the timely payment for purchases of construction services; providing that a payment request or invoice that is not rejected within a certain time after an overdue notice is sent is deemed accepted; requiring a local governmental entity to identify in a construction contract the agent or employee or facility or office to which a contractor may submit its payment request or invoice; requiring that an ordinance providing dispute resolution procedures applicable to a construction contract be referenced in the contract; requiring construction contracts to specify a date for the delivery of a list of items required to render complete, satisfactory, and acceptable the construction services purchased by a local governmental entity; providing for the extension of the contract if the list of items remaining to complete is not timely provided to the contractor; specifying the time for paying any remaining undisputed contract amount; amending s. 218.76, F.S.; revising provisions relating to the resolution of disputes concerning an improper payment request or invoice; providing that a local governmental entity waives its objection in a payment dispute if it fails to commence the dispute resolution procedure within a certain time and after receiving notice from the contractor; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1056** to **CS for HB 1157**.

Pending further consideration of **CS for CS for SB 1056** as amended, on motion by Senator Baker, by two-thirds vote **CS for HB 1157** was withdrawn from the Committees on Regulated Industries; Community Affairs; and Judiciary.

On motion by Senator Baker—

CS for HB 1157—A bill to be entitled An act relating to the Local Government Prompt Payment Act; amending s. 218.72, F.S.; revising definitions; amending s. 218.735, F.S.; revising provisions relating to the timely payment for purchases of construction services; requiring that a dispute be resolved according to procedures in the contract; prohibiting the assessment of damages against a contractor if the list of items remaining to complete is not timely provided to the contractor; amending s. 218.76, F.S.; revising provisions relating to the resolution of disputes concerning an improper payment request or invoice; providing that a local governmental entity waives its objection in a payment dispute if it fails to commence the dispute resolution procedure within the time required; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1056** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1157** was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Aronberg, the rules were waived and time of recess was extended until completion of **SB 340**, motions and announcements.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

SB 340—A bill to be entitled An act relating to sealing and expunging criminal history records; providing a short title; amending s. 943.0585, F.S.; authorizing a court to expunge a criminal history record of a person who had a prior criminal history record sealed or expunged in certain circumstances; amending s. 943.059, F.S.; authorizing a court to seal a criminal history record of a person who had a prior criminal history record sealed or expunged in certain circumstances; providing an effective date.

—as amended April 26 was read the third time by title.

MOTION

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

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

Amendment 1 (289108) (with title amendment)—Delete lines 17-323.

And the title is amended as follows:

Delete lines 2-7 and insert: An act relating to sealing criminal history records; providing a short title; amending s. 943.059, F.S.; authorizing

On motion by Senator Wilson, **SB 340** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Oelrich

Vote after roll call:

Yea—Bullard

MOTIONS

On motion by Senator Aronberg, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Wednesday, April 28.

On motion by Senator Aronberg, by two-thirds vote **SB 1226** was placed on the Local Bill Calendar for Wednesday, April 28.

On motion by Senator Aronberg, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Wednesday, April 28.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Aronberg, by two-thirds vote **SB 2318** was withdrawn from the Committee on Criminal and Civil Justice Appro-

priations; **CS for CS for CS for SB 382** and **CS for SB 2592** were withdrawn from the Committee on General Government Appropriations; **CS for SB 198**, **CS for SB 1594**, **CS for SB 1866**, and **SB 1976** were withdrawn from the Policy and Steering Committee on Ways and Means; **CS for CS for CS for SB 382** and **CS for SB 1594** were withdrawn from the Committee on Rules.

MOTIONS

On motion by Senator Aronberg, the rules were waived and by two-thirds vote **CS for CS for CS for SB 382**, **CS for SB 1912**, **SB 1976**, **CS for SB 736**, **SB 2318**, **CS for SB 1594**, **CS for CS for SB 2070**, **CS for SB 198**, **CS for CS for CS for SB 296**, and **CS for SB 2592** were added to the Special Order Calendar for Wednesday, April 28.

On motion by Senator Aronberg, the rules were waived and a deadline of 8:00 a.m., Wednesday, April 28 was set for filing amendments to bills added to the Special Order Calendar to be considered Wednesday, April 28.

COMMUNICATION

The Honorable Larry Cretul
Speaker of the House

April 27, 2010

Dear Mr. Speaker:

In compliance with Article III, Section 19(d), State Constitution, and Joint Rule 2, copies of the Appropriations Conference Committee Report on **HB 5001** have been furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet.

I hereby certify that delivery was completed April 27, 2010 at 2:59 p.m.

Respectfully submitted,
Robert L. "Bob" Ward
Clerk of the House

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(2), the President Pro Tempore, the Minority Leader, and the Chair of the Policy and Steering Committee on Ways and Means submit the following bills to be placed on the Special Order Calendar for Tuesday, April 27, 2010: **CS for SB 514**, **CS for CS for SB 262**, **CS for CS for SB 1234**, **CS for CS for SB 1776**, **SB 194**, **CS for CS for SB 346**, **CS for CS for CS for SB 354**, **CS for SB 518**, **CS for SB 796**, **CS for SB 1052**, **CS for SB 1054**, **CS for CS for SB 1056**, **SB 1106**, **CS for SB 1172**, **SB 1228**, **CS for SB 1354**, **CS for SB 1408**, **CS for CS for SB 1544**, **CS for SB 1724**, **CS for SB 1824**, **CS for CS for SB 1844**, **CS for CS for CS for CS for SB 2000**, **CS for CS for SB 2102**, **CS for CS for SB 2118**, **CS for SB 2140**, **CS for SB 2170**, **CS for SB 2256**, **SB 2276**, **CS for CS for SJR 2288**, **CS for CS for CS for SB 2322**, **CS for SB 2350**, **CS for CS for CS for SB 2362**, **CS for CS for SB 2556**, **CS for SB 2560**, **CS for SB 522**, **CS for SB 688**, **CS for CS for SB 1786**.

Respectfully submitted,
Mike Fasano, President Pro Tempore
Alfred "Al" Lawson, Jr., Minority Leader
JD Alexander, Chair, Policy and Steering
Committee on Ways and Means

On motion by Senator Aronberg, **SB 2276** was removed from the Special Order Calendar on April 26, 2010.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Bullard—

SB 1226—A bill to be entitled An act relating to sewage requirements in Monroe County; amending chapter 99-395, Laws of Florida; providing exceptions to requirements of the Department of Environmental Pro-

tection regarding minimum casing for injection wells used by facilities that have a specified design capacity; providing requirements for an injection well used as a backup to a primary injection well; providing an effective date.

—was referred to the Committee on Rules.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **CS for CS for SB 350, CS for SB 2060, and CS for SB 2440** which he approved on April 27, 2010.

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 1505, HB 7219**; has passed as amended **CS for CS for HB 351, CS for CS for HB 1033, CS for CS for CS for HB 1271, CS for CS for CS for HB 1445** and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By PreK-12 Policy Committee and Representative(s) Flores, Burgin, Crisafulli, Porth, Precourt—

CS for HB 1505—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; revising student eligibility requirements for participation in the scholarship program; authorizing students who are eligible to enter kindergarten to receive a John M. McKay Scholarship; providing eligibility requirements for a student identified with a developmental delay; authorizing students who were enrolled and reported by a school district for funding during any prior year Florida Education Finance Program surveys to receive a John M. McKay Scholarship; defining the term "owner or operator;" authorizing the Commissioner of Education to deny, suspend, or revoke a private school's participation in the scholarship program for certain acts or omissions by an owner or operator of the private school; conforming cross-references; permitting students to receive instruction and services from a private school at a site other than the physical location of the private school under specified conditions; amending s. 1002.20, F.S.; conforming provisions; providing an effective date.

—was referred to the Committee on Education Pre-K - 12; and the Policy and Steering Committee on Ways and Means.

By Finance & Tax Council and Representative(s) Abruzzo—

HB 7219—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2010 version of the Internal Revenue Code; providing for retroactive operation; providing an effective date.

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

By Economic Development & Community Affairs Policy Council, Roads, Bridges & Ports Policy Committee and Representative(s) Paterson—

CS for CS for HB 351—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Catch Me, Release Me license plate, a Florida Horse Park license plate, and a Florida Biodiversity Foundation license plate; establishing annual use fees for the plates; providing for the distribution of use fees received from the sale of such plates; revising the portion of use fees collected from the sale of the Florida Salutes Veterans license plate

that shall be distributed to a direct-support organization; revising the time period during which such distribution shall be made; providing an effective date.

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

By Economic Development & Community Affairs Policy Council, Roads, Bridges & Ports Policy Committee and Representative(s) Murzin—

CS for CS for HB 1033—A bill to be entitled An act relating to road designations; designating Perdido Key Parkway in Escambia County; designating Orange Bowl Way in Miami-Dade County; designating Colonel Bud Day Boulevard in Okaloosa County; designating Pastor Wilner Maxi Street, Bishop Dr. Randall & Prophetess Sharlene Holts Street, Pastor Dr. Carl Johnson Street, Haitian/American Historical Society Street, Center for Haitian Studies Street, and Eufaula Frazier Street in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Economic Development & Community Affairs Policy Council, Transportation & Economic Development Appropriations Committee, Roads, Bridges & Ports Policy Committee and Representative(s) Horner, McKeel—

CS for CS for CS for HB 1271—A bill to be entitled An act relating to transportation; amending s. 212.055, F.S.; authorizing counties within or under an interlocal agreement with a regional transportation or transit authority to levy a discretionary sales surtax for transportation systems under certain conditions; providing that the county commission may apply the proceeds from the charter county transportation system surtax to the planning, development, construction, expansion, operation, and maintenance of on-demand transportation services; defining the term "on-demand transportation services"; amending s. 310.0015, F.S., relating to pilotage rates; providing for such rates to be set by the Pilotage Rate Review Committee to conform to changes made by the act; amending s. 310.002, F.S.; revising the definition of the term "pilotage" to conform to changes made by the act; amending s. 310.011, F.S.; revising the membership of the Board of Pilot Commissioners; amending s. 310.151, F.S.; redesignating the "Pilotage Rate Review Board" as the "Pilotage Rate Review Committee;" providing that the committee is part of the Board of Pilot Commissioners; revising membership and providing for appointment of members from among the commissioners; requiring members to comply with specified disclosure requirements; providing that decisions of the committee regarding rates are not appealable to the board; directing the Governor to make certain appointments to the Board of Pilot Commissioners before a certain date; providing requirements for the transfer of pending matters; repealing s. 315.03(12)(c), F.S., relating to legislative review of a loan program of the Florida Seaport Transportation and Economic Development Council; amending s. 316.003, F.S.; defining the term "motor carrier transportation contract" for purposes of the Florida Uniform Traffic Control Law; amending s. 316.1001, F.S.; revising the method to be used to provide notice following the issuance of a citation for failure to pay a toll; providing that receipt of the citation rather than its mailing constitutes notification; authorizing any governmental entity, including the clerk of court, to provide certain data to the Department of Highway Safety and Motor Vehicles regarding outstanding violations for failure to pay tolls; amending s. 316.302, F.S.; revising reference to specified federal rules and regulations applicable to owners and drivers of commercial motor vehicles engaged in intrastate commerce; providing that certain indemnification provisions in motor carrier transportation contracts are against public policy and are void and unenforceable; defining the term "promisee," as used in motor carrier transportation contracts; provides an exception to such definition; providing for application to certain contracts; amending s. 316.515, F.S.; conforming a cross-reference; amending s. 316.545, F.S.; providing for a reduction in the gross weight of certain vehicles equipped with idle-reduction technologies when calculating a penalty for exceeding maximum weight limits; requiring the operator to provide certification of the weight of the idle-reduction technology and to demonstrate or certify that the idle-reduction technology is fully functional at all times; amending s. 316.550, F.S.; authorizing the department or local authority to issue permits for certain

vehicles to operate on certain routes; requiring issuance of permits within a specified period after a request; providing restrictions on routes; providing conditions when vehicles must be unloaded; conforming a cross-reference; amending s. 318.18, F.S.; revising provisions for distribution of proceeds collected by the clerk of the court for disposition of citations for failure to pay a toll; providing alternative procedures for disposition of such citation; providing for adjudication to be withheld and no points assessed against the driver's license unless adjudication is imposed by a court; authorizing a court to direct the department to suspend a person's driver's license for violations involving the failure to pay tolls; amending s. 320.03, F.S.; clarifying provisions requiring that the tax collector withhold issuance of a license plate or revalidation sticker if certain fines are outstanding; amending s. 320.08, F.S.; providing that specified license tax provisions apply to wreckers used for certain purposes; amending s. 320.08058, F.S.; revising authorized uses of revenue received from the sale of United We Stand license plates; amending s. 322.27, F.S.; providing for assessment of points against a driver's license for specified violations of requirements to pay a toll only when the points are imposed by a court; repealing s. 332.14, F.S., relating to the Secure Airports for Florida's Economy Council; providing for the use of funds accrued by the Secure Airports for Florida's Economy Council; amending s. 337.14, F.S.; revising application procedures for the qualification of contractors; requiring any required interim financial statement to be accompanied by an updated application; amending s. 337.401, F.S.; revising provisions for rules of the department that provide for the placement of and access to certain electrical transmission lines on the right-of-way of department-controlled roads; authorizing the rules to include that the use of the limited access right-of-way for longitudinal placement of such transmission lines is reasonable based upon consideration of certain economic and environmental factors; providing that removal or relocation of a transmission line shall be at the expense of the utility; amending s. 337.406, F.S.; prohibiting camping on certain parts of the right-of-way of the State Highway System; amending s. 338.155, F.S.; authorizing the department to adopt rules relating to the payment, collection, and enforcement of tolls; amending ss. 341.051 and 341.3025, F.S.; requiring the use of universally accepted contactless fare media on new or upgraded public rail transit systems or public transit systems connecting to such rail systems; amending s. 343.64, F.S.; authorizing the Central Florida Regional Transportation Authority to borrow funds under certain circumstances; amending s. 348.51, F.S.; revising the definition for the term "bonds" when used in the Tampa-Hillsborough County Expressway Authority Law; amending s. 348.545, F.S.; authorizing certain costs to be financed by bonds issued on behalf of the Tampa-Hillsborough County Expressway Authority pursuant to the State Bond Act or bonds issued by the authority under specified provisions; amending s. 348.56, F.S.; authorizing bonds to be issued on behalf of the authority pursuant to the State Bond Act or issued by the authority under specified provisions; revising requirements for such bonds; requiring the bonds to be sold at public sale; authorizing the authority to negotiate the sale of bonds with underwriters under certain circumstances; amending s. 348.565, F.S.; providing that facilities of the expressway system are approved to be refinanced by the revenue bonds issued by the Division of Bond Finance of the State Board of Administration and the State Bond Act or by revenue bonds issued by the authority; providing that certain projects of the authority are approved for financing or refinancing by revenue bonds; amending s. 348.57, F.S.; authorizing the authority to provide for the issuance of certain bonds for the refunding of bonds outstanding regardless of whether the bonds being refunded were issued by the authority or on behalf of the authority; amending s. 348.70, F.S.; providing that the Tampa-Hillsborough County Expressway Authority Law does not repeal, rescind, or modify any other laws; providing that such law supersedes laws that are inconsistent with the provisions of that law; creating part XI of ch. 348, F.S.; creating s. 348.9950, F.S.; providing a short title; creating s. 348.9951, F.S.; providing that certain terms have the same meaning as in the Florida Expressway Authority Act for certain purposes; creating s. 348.9952, F.S.; creating the Osceola County Expressway Authority as an agency of the state; providing for a governing body of the authority; providing for membership, terms, organization, personnel, and administration; authorizing payment of travel and other expenses; directing the authority to cooperate with and participate in any efforts to establish a regional expressway authority; declaring that the authority is not eligible for voting membership in certain metropolitan planning organizations; creating s. 348.9953, F.S.; providing purposes and powers of the authority; creating s. 348.9954, F.S.; authorizing the issuance of bonds to pay or secure certain obligations; creating s. 348.9955, F.S.; authorizing the authority to enter into certain agreements; creating s.

348.9956, F.S.; authorizing the department to act as the authority's appointed agent under certain circumstances; creating s. 348.9957, F.S.; authorizing the authority to acquire certain lands and property; authorizing the authority to exercise eminent domain; creating s. 348.9958, F.S.; authorizing certain entities to enter into agreements with the authority; creating s. 348.9959, F.S.; providing legislative intent and a pledge of the state to bondholders; creating s. 348.9960, F.S.; exempting the authority from taxation; providing an exemption from taxes for bonds issued by or on behalf of the authority and the income therefrom; providing an exception; creating s. 348.9961, F.S.; providing for dissolution of the authority under certain circumstances; amending s. 369.317, F.S.; providing that certain activity relating to mitigation of certain environmental impacts in the Wekiva Study Area or the Wekiva parkway alignment corridor meet specified impact requirements under certain conditions; amending s. 373.41492, F.S.; increasing the mitigation fee for mining activities in the Miami-Dade County Lake Belt; suspending an annual increase in the mitigation fee; revising the frequency of an interagency committee report; amending s. 403.4131, F.S.; removing provisions relating to a report on the adopt-a-highway program; amending s. 479.01, F.S.; defining the terms "allowable uses," "commercial use," "industrial use," and "zoning category" and revising the definition of the terms "commercial or industrial zone" and "main-traveled way" for purposes of provisions relating to outdoor advertising; conforming cross-references; amending s. 479.07, F.S.; providing for the placement of new or replacement signs erected on an interstate highway in certain areas; requiring such sign to be located on land designated for commercial or industrial use under the future land use map and land use development regulations; exempting such location from specified evaluation criteria; amending s. 479.261, F.S.; removing a provision authorizing the Department of Transportation to rotate certain logo signs relating to gas, food, and lodging services on the rights-of-way of the interstate highway system during a specified period; reducing the annual permit fees for businesses participating in the interstate highway logo sign program; designating pts. I and II of ch. 479, F.S., entitled "General Provisions" and "Special Programs," respectively; creating pt. III of ch. 479, F.S., entitled "Sign Removal"; creating s. 479.310, F.S.; providing intent relating to unpermitted and illegal signs; placing financial responsibility for the removal of such signs; providing the department authority to recover costs of removal of such signs; creating s. 479.311, F.S.; providing jurisdiction to consider claims to recover costs; defining the term "venue" for the purposes of a claim filed by the department; creating s. 479.312, F.S.; providing that costs incurred by the department in removing certain signs shall be assessed against certain individuals; providing presumption of a ownership; creating s. 479.313, F.S.; providing for the assessment of the cost of removal for signs following the revocation of a sign permit; creating s. 479.315, F.S.; providing for the assessment of the cost of removal of signs located within a highway right-of-way; amending s. 705.18, F.S.; removing provisions for disposal of personal property lost or abandoned at certain public-use airports; creating s. 705.182, F.S.; providing for disposal of personal property found on premises owned or controlled by the operator of a public-use airport; providing a timeframe for the property to be claimed; providing options for disposing of such personal property; providing procedures for selling abandoned personal property; providing for notice of sale; providing that the rightful owner of such property may reclaim the property at any time prior to sale; permitting airport tenants to establish lost and found procedures; providing that purchaser holds title to the property free of the rights of persons then holding any legal or equitable interest thereto; creating s. 705.183, F.S.; providing for disposition of derelict or abandoned aircraft on the premises of public-use airports; providing procedures for such disposition; requiring a record of when the aircraft is found; defining the terms "derelict aircraft" and "abandoned aircraft"; providing for notification of aircraft owner and all persons having an equitable or legal interest in the aircraft; providing for notice if the owner of the aircraft is unknown or cannot be found; providing for disposition if the aircraft is not removed upon payment of required fees; requiring any sale of the aircraft to be at a public auction; providing notice requirements for such public auction; providing procedures for disposal of the aircraft; providing for liability if charges and costs related to the disposition are more than that obtained from the sale; providing for a lien by the airport for fees and charges; providing for notice of lien; requiring recording of a claim of lien; providing for the form of the claim of lien; providing for service of the claim of lien; providing that the purchaser of the aircraft takes the property free of rights of persons holding legal or equitable interest in the aircraft; requiring purchaser or recipient to notify the Federal Aviation Administration of change in ownership; providing for disposition of moneys received for an

aircraft sold at public sale; authorizing the airport to issue documents relating to the aircraft's disposal; creating s. 705.184, F.S.; providing for disposition of derelict or abandoned motor vehicles on the premises of public-use airports; providing procedures; requiring recording of the abandoned motor vehicle; defining the terms "derelict motor vehicle" and "abandoned motor vehicle;" providing for removal of such motor vehicle from airport premises; providing for notice to the owner, the company insuring the motor vehicle, and any lienholder; providing for disposition if the motor vehicle is not removed upon payment of required fees; requiring any sale of the motor vehicle to be at a public auction; providing notice requirements for such public auction; providing procedures for disposal of the motor vehicle; providing for a lien by the airport or a licensed independent wrecker for fees and charges; providing for notice of lien; requiring recording of a claim of lien; providing for the form of the claim of lien; providing for service of claim of lien; providing that the purchaser of the motor vehicle takes the property free of the rights of persons holding legal or equitable interest in the motor vehicle; amending s. 479.156, F.S.; conforming cross-references; providing an effective date.

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

By General Government Policy Council, Natural Resources Appropriations Committee, Agriculture & Natural Resources Policy Committee and Representative(s) Nelson, Mayfield—

CS for CS for CS for HB 1445—A bill to be entitled An act relating to agriculture; creating s. 15.0455, F.S.; designating the Florida Agricultural Museum in Flagler County as the official state agricultural museum; providing for future repeal; amending s. 369.20, F.S.; authorizing the Fish and Wildlife Conservation Commission to enter into an agreement with the Department of Environmental Protection for the uniform regulation of pesticides applied to the waters of the state; revising exemptions from water pollution permits; amending s. 373.1391, F.S.; requiring water management districts to give priority to the agricultural use of certain parcels for purposes of management of such parcels; amending s. 403.088, F.S.; providing permits for applying pesticides to the waters of the state; requiring the Department of Environmental Protection to enter into agreements with the Department of Agriculture and Consumer Services and the commission for the uniform regulation of pesticides applied to the waters of the state; authorizing temporary deviations from certain rule provisions adopted by the Department of Environmental Protection for certain pesticides under certain conditions; amending s. 403.9336, F.S.; revising a reference to the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes; amending s. 403.9337, F.S.; providing for amendment of the model ordinance by the Department of Environmental Protection; revising the criteria for a local government's adoption of additional or more stringent standards; providing exemptions; amending s. 487.163, F.S.; requiring the Department of Agriculture and Consumer Services to enter into an agreement with the Department of Environmental Protection for the uniform regulation of pesticides applied to the waters of the state; amending s. 493.6102, F.S.; specifying that provisions regulating security officers do not apply to certain law enforcement, correctional, and probation officers performing off-duty activities; amending s. 493.6105, F.S.; revising the application requirements and procedures for certain private investigative, private security, recovery agent, and firearm licenses; specifying application requirements for firearms instructor licenses; amending s. 493.6106, F.S.; revising citizenship requirements and documentation for certain private investigative, private security, and recovery agent licenses; prohibiting the licensure of applicants for a statewide firearm license or firearms instructor license who are prohibited from purchasing or possessing firearms; requiring that private investigative, security, and recovery agencies notify the Department of Agriculture and Consumer Services of changes to their branch office locations; amending s. 493.6107, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6108, F.S.; revising requirements for criminal history checks of license applicants whose fingerprints are not legible; requiring the investigation of the mental and emotional fitness of applicants for firearms instructor licenses; amending s. 493.6111, F.S.; requiring a security officer school or recovery agent school to obtain the department's approval for use of a fictitious name; specifying that a licensee may not conduct business under more than one fictitious name; amending s. 493.6113, F.S.; revising application renewal procedures and

requirements; amending s. 493.6115, F.S.; conforming cross-references; amending s. 493.6118, F.S.; authorizing disciplinary action against statewide firearm licensees and firearms instructor licensees who are prohibited from purchasing or possessing firearms; conforming a cross-reference; amending s. 493.6121, F.S.; deleting provisions for the department's access to certain criminal history records provided to licensed gun dealers, manufacturers, and exporters; amending s. 493.6202, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6203, F.S.; prohibiting body-guard services from being credited toward certain license requirements; revising the training requirements for private investigator intern license applicants; requiring the automatic suspension of an intern's license under certain circumstances; providing an exception; amending s. 493.6302, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6303, F.S.; revising the training requirements for security officer license applicants; amending s. 493.6304, F.S.; revising application requirements and procedures for security officer school licenses; amending s. 493.6401, F.S.; revising terminology for recovery agent schools and training facilities; amending s. 493.6402, F.S.; revising terminology for recovery agent schools and training facilities; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6406, F.S.; revising terminology; requiring the licensure of recovery agent schools and instructors; providing license application requirements and procedures; requiring license fees; amending s. 500.033, F.S.; revising the membership of the Florida Food Safety and Food Defense Advisory Council; amending ss. 501.605 and 501.607, F.S.; revising application requirements for commercial telephone seller and salesperson licenses; amending s. 501.913, F.S.; specifying the sample size required for an antifreeze registration application; amending s. 525.01, F.S.; revising requirements for petroleum fuel affidavits; amending s. 525.09, F.S.; imposing an inspection fee on certain alternative fuels containing alcohol; amending s. 526.50, F.S.; defining terms applicable to regulation of the sale of brake fluid; amending s. 526.51, F.S.; revising brake fluid permit application requirements; amending s. 526.52, F.S.; revising requirements for printed statements on brake fluid containers; amending s. 526.53, F.S.; revising requirements and procedures for brake fluid stop-sale orders; authorizing businesses to dispose of unregistered brake fluid under certain circumstances; amending s. 527.0201, F.S.; revising requirements for liquefied petroleum gas qualifying examinations; increasing continuing education requirements for certain liquefied petroleum gas qualifiers; amending s. 527.12, F.S.; providing for the issuance of certain stop orders; amending ss. 559.805 and 559.928, F.S.; deleting social security numbers as a listing requirement on registration affidavits for independent agents of sellers of business opportunities; amending s. 570.07, F.S.; revising the department's authority to enforce laws and rules relating to commercial stock feeds and commercial fertilizers; amending s. 570.0725, F.S.; revising provisions for public information about food banks and similar food recovery programs; authorizing the department to adopt rules; amending ss. 570.53 and 570.54, F.S.; conforming cross-references; amending s. 570.55, F.S.; revising requirements for identifying sellers or handlers of tropical or subtropical fruit or vegetables; amending s. 570.902, F.S.; conforming terminology to the repeal by the act of provisions establishing the Florida Agricultural Museum; amending s. 570.903, F.S.; revising provisions for direct-support organizations for certain agricultural programs to conform to the repeal by the act of provisions establishing the Florida Agricultural Museum; deleting provisions for a direct-support organization for the Florida State Collection of Arthropods; amending s. 573.118, F.S.; requiring the department to maintain records of marketing orders; requiring an audit at the request of an advisory council; requiring that the advisory council receive a copy of the audit within a specified time; amending s. 581.011, F.S.; deleting terminology relating to the Florida State Collection of Arthropods; revising the term "nursery" for purposes of plant industry regulations; amending s. 581.211, F.S.; increasing the maximum fine for violations of plant industry regulations; amending s. 583.13, F.S.; deleting a prohibition on the sale of poultry without displaying the poultry grade; amending s. 585.61, F.S.; designating an animal disease diagnostic laboratory complex in Osceola County as the "Bronson Animal Disease Diagnostic Laboratory;" amending s. 590.125, F.S.; revising terminology for open burning authorizations; specifying purposes of certified prescribed burning; requiring the authorization of the Division of Forestry for certified pile burning; providing pile burning requirements; limiting the liability of property owners or agents engaged in pile burning; providing for the certification of pile burners; providing penalties for violations by certified pile burners; requiring rules; authorizing the division to adopt rules regulating certified pile burning;

revising notice requirements for wildfire hazard reduction treatments; providing for approval of local government open burning authorization programs; providing program requirements; authorizing the division to close local government programs under certain circumstances; providing penalties for violations of local government open burning requirements; amending s. 590.14, F.S.; authorizing fines for violations of any division rule; providing penalties for certain violations; providing legislative intent; amending s. 599.004, F.S.; revising standards that a winery must meet to qualify as a certified Florida Farm Winery; amending s. 604.15, F.S.; revising the term "agricultural products" to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; defining the term "responsible position;" amending s. 604.19, F.S.; revising requirements for late fees on agricultural products dealer applications; amending s. 604.25, F.S.; revising conditions under which the department may deny, refuse to renew, suspend, or revoke agricultural products dealer licenses; deleting a provision prohibiting certain persons from holding a responsible position with a licensee; amending s. 616.242, F.S.; authorizing the issuance of stop-operation orders for amusement rides under certain circumstances; amending s. 624.4095, F.S.; requiring that gross written premiums for certain crop insurance not be included when calculating the insurer's gross writing ratio; requiring that liabilities for ceded reinsurance premiums be netted against the asset for amounts recoverable from reinsurers; requiring that insurers who write other insurance products disclose a breakout of the gross written premiums for crop insurance; amending s. 686.201, F.S.; exempting contracts involving a seller of travel from requirements for certain sales representative contracts; amending s. 790.06, F.S.; authorizing a concealed firearm license applicant to submit fingerprints administered by the Division of Licensing; creating s. 828.126, F.S.; providing definitions; prohibiting a person from knowingly engaging in sexual activities with an animal; prohibiting certain acts related to sexual activities with animals; providing penalties; providing exemptions; requiring the department and representatives of the state pest control industry to submit a report to the Legislature; requiring that the report include recommendations for changes in the law to provide for disciplinary action against licensees of the pest control industry under certain circumstances; providing that the report may also address additional issues of concern to the department and members of the industry; repealing ss. 570.071 and 570.901, F.S., relating to the Florida Agricultural Exposition and the Florida Agricultural Museum; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; and Health Regulation.

VOTES RECORDED

Senator Garcia was recorded as voting "yea" on the following bills which were considered April 26: **CS for SB 814, SB 2544, CS for HB 33, CS for CS for HB 163, HB 281, HB 525, and CS for HB 751.**

ENROLLING REPORTS

CS for SB 464 and CS for SB 2054 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 27, 2010.

R. Philip Twogood, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 26 was corrected and approved.

CO-INTRODUCERS

Senators Aronberg—CS for SB 1332; Dean—CS for SB 1022, SB 1060; Dockery—CS for CS for CS for SB 724; Gaetz—CS for CS for SB 262, SB 870, CS for SB 902, SB 2252; Haridopolos—CS for SB 902; Storms—SB 2252; Wilson—CS for CS for SB 8, CS for CS for SB 202, CS for CS for SB 334, SB 506, CS for SB 602, CS for SB 606, CS for CS for SB 644, CS for SB 814, SB 870, CS for SB 1072, CS for SB 1148, CS for SB 1332, CS for CS for SB 1604, CS for SB 1682, CS for SB 1882, CS for SB 2120, SB 2544

RECESS

On motion by Senator Aronberg, the Senate recessed at 6:09 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 28 or upon call of the President.