



The Journal OF THE House of Representatives

Number 13

Tuesday, April 13, 1999

The House was called to order by the Speaker at 9:50 a.m.

Prayer

The following prayer was offered by Robin L. Higgins, Executive Director of the Florida Department of Veterans' Affairs:

The universe whispers that all things are intertwined, yet at times, we hear the loud cry of discord. To which voice shall we listen?

Although we long for harmony, we cannot close our ears to the noise of war, the wrath of hate. How dare we speak of concord, when the fact and symbol of our age is Auschwitz.

The intelligent heart does not deny reality. We must not forget the grief of yesterday, nor ignore the pain of today. But yesterday is past; it cannot tell us what tomorrow will bring. If there is goodness at the heart of life—that its power, like the power of evil, is real—which shall prevail?

Moment by moment, we choose between them. If we choose rightly, and often enough, the broken fragments of our world will be restored to wholeness. For this, we need strength and help. We turn in hope, therefore, to a power beyond us.

He has many names, but he is one. He creates, he sustains, he loves, he inspires us to the hope that we can make ourselves one as he is one.

O God, help us to build your kingdom—one human world, united in heart and soul. Amen.

The following Members were recorded present:

The Chair	Bush	Fuller	Kilmer
Albright	Byrd	Futch	Kosmas
Alexander	Cantens	Gay	Kyle
Andrews	Casey	Goode	Lacasa
Argenziano	Chestnut	Goodlette	Lawson
Arnall	Constantine	Gottlieb	Levine
Bainter	Cosgrove	Green, C.	Littlefield
Ball	Crady	Greene, A.	Logan
Barreiro	Crist	Greenstein	Lynn
Bense	Crow	Hafner	Maygarden
Betancourt	Detert	Harrington	Melvin
Bilirakis	Dockery	Hart	Merchant
Bitner	Effman	Healey	Miller, J.
Bloom	Eggelletion	Henriquez	Miller, L.
Boyd	Farkas	Heyman	Minton
Bradley	Fasano	Hill	Morrone
Bronson	Feeny	Jacobs	Murman
Brown	Fiorentino	Johnson	Ogles
Brummer	Flanagan	Jones	Patterson
Bullard	Frankel	Kelly	Peaden

Posey	Rojas	Stansel	Wallace
Prieguez	Russell	Starks	Warner
Pruitt	Ryan	Suarez	Wasserman Schultz
Putnam	Semler	Sublette	Waters
Rayson	Smith, C.	Trovillion	Wiles
Reddick	Sobel	Tullis	Wise
Ritchie	Sorensen	Turnbull	
Ritter	Spratt	Valdes	
Roberts	Stafford	Villalobos	

(A list of excused Members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The Members, led by Maxie Balthrop, Jamie Conner, Alicia M. Ellis, Catherine Ann Gaylor, Cameron Clark Guinn, Ashley Ray, Noelle Jenea Sluder, Melissa E. Sorensen, and James J. White, Jr., pledged allegiance to the Flag. Maxie Balthrop of Tallahassee served at the invitation of Rep. Maygarden. Jamie Conner of Tampa served at the invitation of Rep. Hart. Alicia M. Ellis of DeFuniak Springs served at the invitation of Rep. Ogles. Catherine Ann Gaylor of Largo served at the invitation of Rep. Jones. Cameron Clark Guinn of Ocala served at the invitation of Rep. Albright. Ashley Ray of Longwood served at the invitation of Rep. Constantine. Noelle Jenea Sluder of Yulee served at the invitation of Rep. Crady. Melissa E. Sorensen of Key Largo served at the invitation of Rep. Sorensen. James J. White, Jr., of Clearwater served at the invitation of Rep. Morrone.

House Physician

The Speaker introduced Dr. Tom Hicks of Tallahassee, who served in the Clinic today upon invitation of Rep. Turnbull.

Correction of the *Journal*

The *Journal* of April 8 was corrected and approved as follows: On page 551, column 2, lines 7-10 from the top, delete the report of the Committee on Children & Families on HB 1729

Committee Assignment

The Speaker advised that he had appointed Rep. Posey, Co-Chair, and Reps. Ball and Hafner to the Joint Select Committee on Collective Bargaining.

The Joint Select Committee will expire on April 30, 1999, after providing a report to the President of the Senate and the Speaker of the House.

Messages from the Senate

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 156 and CS for SB 752 and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Comprehensive Planning, Local and Military Affairs and Senators Hargrett and Carlton—

CS for SB 156—A bill to be entitled An act relating to the prevention of the sale of alcohol and tobacco products to minors; amending s. 562.11, F.S., relating to the purchase of alcohol by minors; amending s. 562.45, F.S.; providing restrictions on locations for on-premises consumption of alcoholic beverages; amending s. 569.11, F.S., relating to the purchase of tobacco products by minors; providing an effective date.

—was read the first time by title and referred to the Calendar of the House.

By the Committee on Ethics and Elections and Senator Saunders and others—

CS for SB 752—A bill to be entitled An act relating to elections; creating s. 99.063, F.S.; providing for the designation of candidates for Lieutenant Governor; providing requirements and time for qualifying for such office; providing for ballot language on primary election ballots if the candidate for Lieutenant Governor has not been designated by a time certain; repealing s. 99.092(3), F.S., and amending ss. 99.095, 99.0955 and 101.62, F.S.; conforming provisions; amending s. 100.111, F.S.; allowing a candidate who has qualified for public office who has withdrawn or been eliminated to be designated as a candidate for Lieutenant Governor; amending s. 102.112, F.S.; revising the time for submission of county returns to the Department of State; providing an effective date.

—was read the first time by title and referred to the Calendar of the House.

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has refused to recede from Senate Amendment 1 to HB 775 and has acceded to the request of the House for the appointment of a conference committee.

The President has appointed the following Senators as conferees on the part of the Senate: Senator Latvala, chair; Senators Grant, Laurent, Lee and Silver and Senator Kurth, Alternate.

Faye W. Blanton, Secretary

Conference Committee Appointments

The Speaker announced that he had appointed the following Members as managers on the part of the House on HB 775 to serve with Rep. Feeney, Chair: Reps. Bitner, Byrd, Constantine, Minton, Bradley (alternate), and Levine (alternate).

Reports of Councils and Standing Committees

On motion by Rep. Arnall, Chair of the Committee on Rules & Calendar, the rules were suspended and HR 9155 was placed on the Ceremonial Resolutions Calendar.

Special Orders

*The Honorable John Thrasher
Speaker, House of Representatives*

April 9, 1999

Dear Mr. Speaker:

In accordance with the vote of the House, the following report is the Special Order for Tuesday, April 13, 1999. Consideration of the House

bills on Special Order shall include the Senate companion measures on the House Calendar.

- I. Consideration of the following bill(s):
 - CS/HB 1549—State Lotteries/Lottery Dept.
 - HB 1915—Florida Education Fund
 - CS/CS/HB 163—Local Government Code Enforcement
 - CS/HB 361—Partnership Filings/Dept. of State
 - CS/HB 417—Real Estate Brokers & Salespersons
 - HB 79—Airbag Antitheft Act
 - CS/HB 345—Educational Property Tax Exemption
 - CS/HB 681—Construction Liens & Bonds
 - HB 1077—Civil-Law Notaries
 - CS/HB 421 & 485—Voluntary Intoxication/Defense
 - HB 981—Dentistry
 - HB 699—Athletic Trainers
 - CS/CS/HB 9—School Districts/Patriotic Programs
 - CS/HB 11—Arrest Warrants/Issuance
 - HB 127—US Marine Corps License Plate
 - HB 315—Alcoholic Beverages
 - CS/HB 767—Freight Forwarder Business
 - HB 717—Bail Bonds
 - CS/HB 1003—Insurance Agencies Definitions
 - HB 1031—Physician Assistants
 - HB 1081—Public Records/Health Care
 - CS/HB 49—Criminal Use of Personal ID Info.
 - CS/HB 165—Beverage Law/Underage Students
 - HB 879—Health Information Privacy

- II. CEREMONIAL RESOLUTIONS CALENDAR BY PUBLICATION IN THE JOURNAL FOR Tuesday, April 13, 1999.
 - HR 9087—Nymark, Anne
 - HR 9159—National Organ Donor Awareness Week

- III. CONSIDERATION OF THE CEREMONIAL RESOLUTIONS CALENDAR FOR Tuesday, April 13, 1999:
 - HR 9045—Roland Manteiga Day
 - HR 9145—Members of USA Gymnastics Teams
 - HR 9147—Tallahassee Habitat for Humanity

Respectfully submitted,
Joseph Arnall
Chair
Committee on Rules & Calendar

On motion by Rep. Arnall, the above report was adopted as amended.

Motions Relating to Committee References

On motion by Rep. Levine, agreed to by two-thirds vote, HB 419 was withdrawn from further consideration of the House.

On motion by Rep. Lacasa, agreed to by two-thirds vote, HB 743 was withdrawn from further consideration of the House.

On motion by Rep. Sorensen, agreed to by two-thirds vote, HB 861 was withdrawn from further consideration of the House.

On motion by Rep. Sobel, agreed to by two-thirds vote, HB 2011 was withdrawn from further consideration of the House.

On motion by Rep. Lynn, agreed to by two-thirds vote, HB 855 was withdrawn from the Committee on Education/K-12 and remains referred to the Committees on Community Affairs and General Appropriations.

On motion by Rep. Bitner, agreed to by two-thirds vote, HB 897; CS/HB 1513; and HB 1759 were withdrawn from the Committee on Financial Services. HB 897 was placed on the appropriate Calendar. CS/HB 1513 remains referred to the Committee on Transportation & Economic Development Appropriations. HB 1759 remains referred to the Committees on General Government Appropriations and Transportation & Economic Development Appropriations.

On motion by Rep. Bitner, agreed to by two-thirds vote, HB 1631 was withdrawn from the Committee on Insurance and remains referred to

the Committees on Governmental Operations and Health & Human Services Appropriations.

On motion by Rep. Warner, agreed to by two-thirds vote, HB 655 was withdrawn from the Committee on Family Law & Children and remains referred to the Committees on Judiciary and Health & Human Services Appropriations.

On motion by Rep. Crist, agreed to by two-thirds vote, HB 709 was withdrawn from the Committee on Juvenile Justice and remains referred to the Committee on Criminal Justice Appropriations.

On motion by Rep. Sublette, agreed to by two-thirds vote, CS/HB 837 and HB 1801 were withdrawn from the Committee on Community Affairs. CS/HB 837 remains referred to the Committee on Education Appropriations. HB 1801 remains referred to the Committees on Finance & Taxation and General Government Appropriations.

On motion by Rep. Sublette, agreed to by two-thirds vote, HB 1559 was withdrawn from the Committee on Election Reform and placed on the appropriate Calendar.

On motion by Rep. Sublette, agreed to by two-thirds vote, HB 245 was withdrawn from the Committee on Governmental Operations and remains referred to the Committee on Health & Human Services Appropriations.

On motion by Rep. Peaden, agreed to by two-thirds vote, HB 811 was withdrawn from the Committee on Children & Families and remains referred to the Committee on Health & Human Services Appropriations.

On motion by Rep. Peaden, agreed to by two-thirds vote, HB 247 and HJR 2077 were withdrawn from the Committee on Health Care Services. HB 247 remains referred to the Committees on Governmental Rules & Regulations and Health & Human Services Appropriations. HJR 2077 remains referred to the Committees on Judiciary and General Appropriations.

On motion by Rep. Pruitt, agreed to by two-thirds vote, HB 135; CS/HB 253; CS/HB 363; CS/HB 381; and CS/HB 389 were withdrawn from the Committee on Criminal Justice Appropriations and placed on the appropriate Calendar.

On motion by Rep. Pruitt, agreed to by two-thirds vote, HBs 805, 867, 1537, and 1735 were withdrawn from the Committee on Education Appropriations and placed on the appropriate Calendar.

On motion by Rep. Pruitt, agreed to by two-thirds vote, CS/HB 647 and HB 791 were withdrawn from the Committee on Finance & Taxation. CS/HB 647 remains referred to the Committee on Transportation & Economic Development Appropriations. HB 791 remains referred to the Committee on General Government Appropriations.

On motion by Rep. Pruitt, by the required two-thirds vote, HB 2157 was further referred to the Committee on General Appropriations and remains referred to the Committee on Finance & Taxation.

On motion by Rep. Pruitt, agreed to by two-thirds vote, CS/HB 937 was withdrawn from the Committee on General Appropriations and placed on the appropriate Calendar.

On motion by Rep. Pruitt, agreed to by two-thirds vote, HB 791 was withdrawn from the Committee on General Government Appropriations and placed on the appropriate Calendar.

On motion by Rep. Pruitt, by the required two-thirds vote, HB 2219 was further referred to the Committee on General Government Appropriations and remains referred to the Committee on Governmental Operations.

On motion by Rep. Pruitt, agreed to by two-thirds vote, CS/HB 319 was withdrawn from the Committee on Health & Human Services Appropriations and placed on the appropriate Calendar.

Matters on Reconsideration

Reconsideration of SB 1464

On motion by Rep. Gay, the House reconsidered the vote by which **SB 1464**, as amended, passed on April 8.

SB 1464—A bill to be entitled An act relating to the depopulation of the Florida Residential Property and Casualty Joint Underwriting Association; repealing s. 627.3511(5)(b), F.S., relating to the qualification of an insurer for an exemption from certain assessment; providing retroactive application; providing an effective date.

On motion by Rep. Gay, by the required two-thirds vote, the House reconsidered the vote by which **Amendment 1** was adopted (shown in the *Journal* on page 534, April 8). The question recurred on the adoption of the amendment, which was withdrawn.

The question recurred on the passage of SB 1464. The vote was:

Yeas—116

The Chair	Crow	Hill	Rayson
Albright	Detert	Jacobs	Reddick
Alexander	Diaz de la Portilla	Johnson	Ritchie
Andrews	Dockery	Jones	Ritter
Argenziano	Edwards	Kelly	Roberts
Arnall	Effman	Kilmer	Rojas
Bainter	Eggelletion	Kosmas	Russell
Ball	Farkas	Kyle	Ryan
Barreiro	Fasano	Lacasa	Sembler
Bense	Feeney	Lawson	Smith, C.
Betancourt	Fiorentino	Levine	Sobel
Bilirakis	Flanagan	Littlefield	Sorensen
Bitner	Frankel	Logan	Spratt
Bloom	Fuller	Lynn	Stafford
Boyd	Futch	Maygarden	Stansel
Bradley	Garcia	Melvin	Starks
Bronson	Gay	Merchant	Suarez
Brown	Goode	Miller, J.	Sublette
Brummer	Goodlette	Miller, L.	Trovillion
Bullard	Gottlieb	Minton	Tullis
Bush	Green, C.	Morrone	Turnbull
Byrd	Greene, A.	Murman	Valdes
Cantens	Greenstein	Ogles	Villalobos
Casey	Hafner	Patterson	Wallace
Chestnut	Harrington	Peaden	Warner
Constantine	Hart	Posey	Wasserman Schultz
Cosgrove	Healey	Prieguez	Waters
Crady	Henriquez	Pruitt	Wiles
Crist	Heyman	Putnam	Wise

Nays—None

So the bill passed and was certified to the Senate.

Bills and Joint Resolutions on Third Reading

CS/HB 43—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; revising the exemption from public records requirements for personal information contained in a motor vehicle record; specifying that such personal information includes a person's photograph; restricting the disclosure of such information upon presentation of a license plate number only; providing conditions for the disclosure of social security numbers; providing an additional use for which such information may be released; providing that photographic or digital images shall not be knowingly disclosed except as provided in s. 322.142, F.S.; providing a finding of public necessity; repealing s. 322.142(5) and (6), F.S., which authorize the Department of Highway Safety and Motor Vehicles to sell copies of photographs, other images, and other driver's license and identification card information under certain conditions; providing an effective date.

—was read the third time by title.

Rep. Brown moved that, under Rule 142(h), a late-filed amendment be allowed for consideration, which was not agreed to.

Rep. Brown moved that, under Rule 142(h), a late-filed amendment be allowed for consideration, which was not agreed to.

Rep. Brown moved that, under Rule 142(h), a late-filed amendment be allowed for consideration, which was not agreed to.

Rep. Brown moved that, under Rule 142(h), a late-filed amendment be allowed for consideration, which was not agreed to.

The question recurred on the passage of CS/HB 43. The vote was:

Yeas—115

The Chair	Crow	Hill	Rayson
Albright	Detert	Jacobs	Reddick
Alexander	Diaz de la Portilla	Johnson	Ritchie
Andrews	Dockery	Jones	Ritter
Argenziano	Edwards	Kelly	Roberts
Arnall	Effman	Kilmer	Rojas
Bainter	Eggelletion	Kosmas	Russell
Ball	Farkas	Kyle	Ryan
Barreiro	Fasano	Lacasa	Sembler
Bense	Feeney	Lawson	Sobel
Betancourt	Fiorentino	Levine	Sorensen
Bilirakis	Flanagan	Littlefield	Spratt
Bitner	Frankel	Logan	Stafford
Bloom	Fuller	Lynn	Stansel
Boyd	Futch	Maygarden	Starks
Bradley	Garcia	Melvin	Suarez
Bronson	Gay	Merchant	Sublette
Brown	Goode	Miller, J.	Trovillion
Brummer	Goodlette	Miller, L.	Tullis
Bullard	Gottlieb	Minton	Turnbull
Bush	Green, C.	Morrone	Valdes
Byrd	Greene, A.	Murman	Villalobos
Cantens	Greenstein	Ogles	Wallace
Casey	Hafner	Patterson	Warner
Chestnut	Harrington	Peaden	Wasserman Schultz
Constantine	Hart	Posey	Waters
Cosgrove	Healey	Prieguez	Wiles
Cradly	Henriquez	Pruitt	Wise
Crist	Heyman	Putnam	

Nays—None

So the bill passed, as amended, and was certified to the Senate.

CS for SB 986—A bill to be entitled An act relating to property taxes; amending s. 197.432, F.S.; prohibiting holders of tax certificates from contacting the owner of the property upon which a tax certificate is issued until the expiration of a specified time; providing a penalty; amending s. 197.482, F.S.; providing for the date to begin timing a limitation on a tax certificate; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—114

The Chair	Bitner	Casey	Effman
Alexander	Bloom	Chestnut	Eggelletion
Andrews	Boyd	Constantine	Farkas
Argenziano	Bradley	Cosgrove	Fasano
Arnall	Bronson	Cradly	Feeney
Bainter	Brown	Crist	Fiorentino
Ball	Brummer	Crow	Flanagan
Barreiro	Bullard	Detert	Frankel
Bense	Bush	Diaz de la Portilla	Fuller
Betancourt	Byrd	Dockery	Futch
Bilirakis	Cantens	Edwards	Garcia

Gay	Kilmer	Peaden	Stafford
Goode	Kosmas	Posey	Stansel
Goodlette	Kyle	Prieguez	Starks
Gottlieb	Lacasa	Pruitt	Suarez
Green, C.	Lawson	Putnam	Sublette
Greene, A.	Levine	Rayson	Trovillion
Greenstein	Littlefield	Reddick	Tullis
Hafner	Logan	Ritchie	Turnbull
Harrington	Lynn	Ritter	Valdes
Hart	Maygarden	Roberts	Villalobos
Healey	Merchant	Rojas	Wallace
Henriquez	Miller, J.	Russell	Warner
Heyman	Miller, L.	Ryan	Wasserman Schultz
Hill	Minton	Sembler	Waters
Jacobs	Morrone	Smith, C.	Wiles
Johnson	Murman	Sobel	Wise
Jones	Ogles	Sorensen	
Kelly	Patterson	Spratt	

Nays—None

So the bill passed and was certified to the Senate.

HB 1463 was taken up. On motion by Rep. Flanagan, the rules were suspended and—

CS for SB 752—A bill to be entitled An act relating to elections; creating s. 99.063, F.S.; providing for the designation of candidates for Lieutenant Governor; providing requirements and time for qualifying for such office; providing for ballot language on primary election ballots if the candidate for Lieutenant Governor has not been designated by a time certain; repealing s. 99.092(3), F.S., and amending ss. 99.095, 99.0955 and 101.62, F.S.; conforming provisions; amending s. 100.111, F.S.; allowing a candidate who has qualified for public office who has withdrawn or been eliminated to be designated as a candidate for Lieutenant Governor; amending s. 102.112, F.S.; revising the time for submission of county returns to the Department of State; providing an effective date.

—was substituted for HB 1463 and read the second time by title. Under Rule 50, the House bill was laid on the table.

On motion by Rep. Flanagan, the rules were suspended and CS for SB 752 was read the third time by title. On passage, the vote was:

Yeas—114

The Chair	Cosgrove	Greenstein	Miller, L.
Albright	Cradly	Hafner	Minton
Alexander	Crist	Harrington	Morrone
Andrews	Crow	Hart	Murman
Argenziano	Detert	Healey	Ogles
Arnall	Diaz de la Portilla	Henriquez	Patterson
Bainter	Dockery	Heyman	Peaden
Ball	Edwards	Hill	Posey
Barreiro	Effman	Jacobs	Prieguez
Bense	Eggelletion	Johnson	Pruitt
Betancourt	Farkas	Jones	Putnam
Bilirakis	Fasano	Kelly	Rayson
Bitner	Feeney	Kilmer	Reddick
Boyd	Fiorentino	Kosmas	Ritchie
Bradley	Flanagan	Kyle	Ritter
Bronson	Frankel	Lacasa	Roberts
Brown	Fuller	Lawson	Rojas
Brummer	Futch	Levine	Russell
Bullard	Garcia	Littlefield	Ryan
Bush	Gay	Logan	Sembler
Byrd	Goode	Lynn	Smith, C.
Cantens	Goodlette	Maygarden	Sobel
Casey	Gottlieb	Melvin	Sorensen
Chestnut	Green, C.	Futch	Spratt
Constantine	Greene, A.	Miller, J.	Stafford

Stansel	Trovillion	Wallace	Wiles
Starks	Turnbull	Warner	Wise
Suarez	Valdes	Wasserman Schultz	
Sublette	Villalobos	Waters	

Nays—1

Bloom

So the bill passed and was certified to the Senate.

On motion by Rep. Rojas, **HB 1999** was temporarily postponed under Rule 141 and the third reading nullified.

HB 605—A bill to be entitled An act relating to bond financing; amending s. 159.612, F.S.; authorizing housing finance authorities under the Florida Housing Finance Authority Law to issue refunding bonds for certain purposes; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—112

The Chair	Detert	Jacobs	Rayson
Alexander	Diaz de la Portilla	Johnson	Reddick
Andrews	Dockery	Jones	Ritchie
Argenziano	Effman	Kelly	Ritter
Arnall	Eggelletion	Kilmer	Roberts
Bainter	Farkas	Kosmas	Rojas
Ball	Fasano	Kyle	Russell
Barreiro	Feeney	Lacasa	Ryan
Bense	Fiorentino	Lawson	Sembler
Betancourt	Flanagan	Levine	Smith, C.
Bilirakis	Frankel	Littlefield	Sorensen
Bitner	Fuller	Logan	Spratt
Bloom	Futch	Lynn	Stafford
Boyd	Garcia	Maygarden	Stansel
Bradley	Gay	Melvin	Starks
Bronson	Goode	Merchant	Suarez
Brown	Goodlette	Miller, J.	Sublette
Brummer	Gottlieb	Miller, L.	Trovillion
Bullard	Green, C.	Minton	Tullis
Bush	Greene, A.	Morrone	Turnbull
Byrd	Greenstein	Murman	Valdes
Cantens	Hafner	Ogles	Villalobos
Casey	Harrington	Patterson	Wallace
Chestnut	Hart	Peaden	Warner
Constantine	Healey	Posey	Wasserman Schultz
Crady	Henriquez	Prieguez	Waters
Crist	Heyman	Pruitt	Wiles
Crow	Hill	Putnam	Wise

Nays—None

So the bill passed and was certified to the Senate.

On motion by Rep. Arnall, the rules were suspended and the House moved to the order of—

Special Orders

Ceremonial Resolutions Calendar

HR 9045—A resolution honoring Roland Manteiga and designating September 25, 1999, as “Roland Manteiga Day.”

WHEREAS, Roland Marcelo Manteiga was born January 16, 1920, in Tampa, Florida, and

WHEREAS, Roland’s father, Victoriano Manteiga, emigrated from Cuba in 1913 and began publishing a daily Spanish-language newspaper, La Gaceta, in Tampa in 1922, and

WHEREAS, young Roland learned journalism and publishing from the ground up, beginning by delivering La Gaceta on his bicycle, and

later by mastering advertising, circulation, writing, and editing while in his teens, and

WHEREAS, Roland Manteiga took a more active role in La Gaceta after serving in the Pacific Theater during World War II, and

WHEREAS, La Gaceta became a weekly publication in 1953 and added Italian-language features in addition to its Spanish and English, making it the only such trilingual newspaper in the United States, and

WHEREAS, Roland Manteiga was committed to his political ideology, often opinionated, but never dull, and his column of political commentary and speculation “As We Heard It” was required reading for Tampa Bay-area politicians and journalists for over 44 years, and

WHEREAS, Roland Manteiga, a champion of the underdog and a secret benefactor to people in need, was a modest man, honored many times for his civic and journalistic accomplishments, and

WHEREAS, Roland Manteiga loved Ybor City and has been recognized by community leaders as a gentleman devoted to his community, who sought to make a difference by reporting its history and celebrating its people, making them come alive for posterity, and

WHEREAS, although Roland Manteiga departed this life September 25, 1998, at the age of 78, his spirit lives on in Ybor City, and his legacy shall live on in the community he loved so much, and

WHEREAS, Roland Manteiga, pioneer journalist and editor, historian and chronicler of the rich traditions of Ybor City, a voice of conscience in the community, and a true friend to the powerful and the powerless alike, was a man who exemplified the virtues of hard work, insightful reporting, dedication to his community, modesty, and humanitarianism, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives pauses in its deliberations to pay honor to the memory of Roland Manteiga and to designate Saturday, September 25, 1999, as “Roland Manteiga Day” in Hillsborough County, Florida.

—was read the second time by title. On motion by Rep. Crist, the resolution was adopted.

On motion by Rep. Crist, the board was opened and the following Members were recorded as cosponsors of the resolution, along with Reps. Crist, L. Miller, Hart, Murman, Littlefield, Bradley, Byrd, Wallace, Ogles, Alexander, Bilirakis, and Henriquez: Reps. Albright, Andrews, Argenziano, Arnall, Bainter, Ball, Barreiro, Bense, Betancourt, Bitner, Bloom, Boyd, Bronson, Brown, Brummer, Bullard, Bush, Cantens, Casey, Chestnut, Constantine, Cosgrove, Crady, Crow, Detert, Diaz de la Portilla, Dockery, Edwards, Effman, Eggelletion, Farkas, Fasano, Feeney, Fiorentino, Flanagan, Frankel, Fuller, Futch, Garcia, Gay, Goode, Goodlette, Gottlieb, C. Green, A. Greene, Greenstein, Hafner, Harrington, Healey, Heyman, Hill, Jacobs, Johnson, Jones, Kelly, Kilmer, Kosmas, Kyle, Lawson, Levine, Logan, Lynn, Maygarden, Melvin, Merchant, J. Miller, Minton, Morrone, Patterson, Peaden, Posey, Prieguez, Putnam, Rayson, Reddick, Ritchie, Ritter, Roberts, Rojas, Russell, Ryan, Sembler, C. Smith, Sobel, Sorensen, Spratt, Stafford, Stansel, Starks, Suarez, Sublette, Thrasher, Trovillion, Tullis, Turnbull, Valdes, Warner, Wasserman Schultz, Waters, Wiles, Wilson, and Wise.

Continuation of Bills and Joint Resolutions on Third Reading

On motion by Rep. L. Miller, **HB 673** was temporarily postponed under Rule 141.

Special Orders

CS/HB 1549—A bill to be entitled An act relating to the state lotteries; creating s. 24.1153, F.S.; authorizing the assignment of certain prizes pursuant to a court order and providing requirements therefor; providing for the securing of funds offset for child-support payments or

debts owed to a state agency; exempting the Department of the Lottery from liability upon payment of an assigned prize; authorizing a fee to defray the administrative expenses associated with such assignments; providing circumstances under which such court orders may no longer be issued; amending s. 24.115, F.S., relating to payment of prizes, to conform; requiring the department to seek a declaration concerning the tax consequences of the right of assignment for those who do not assign their prizes; providing effective dates.

—was read the second time by title. On motion by Rep. Bense, the rules were suspended and the bill was read the third time by title. On passage, the vote was:

Yeas—111

The Chair	Crow	Hill	Ritchie
Albright	Detert	Jacobs	Ritter
Alexander	Diaz de la Portilla	Johnson	Roberts
Andrews	Dockery	Jones	Rojas
Argenziano	Edwards	Kelly	Russell
Arnall	Effman	Kilmer	Ryan
Bainter	Eggelletion	Kosmas	Sembler
Ball	Farkas	Kyle	Smith, C.
Barreiro	Fasano	Lawson	Sobel
Bense	Feeney	Levine	Sorensen
Betancourt	Fiorentino	Littlefield	Spratt
Bilirakis	Flanagan	Lynn	Stafford
Bitner	Frankel	Maygarden	Stansel
Bloom	Fuller	Melvin	Starks
Boyd	Futch	Merchant	Suarez
Bradley	Garcia	Miller, J.	Sublette
Bronson	Gay	Miller, L.	Trovillion
Brown	Goodlette	Minton	Tullis
Brummer	Gottlieb	Morrioni	Valdes
Bullard	Green, C.	Murman	Villalobos
Bush	Greene, A.	Ogles	Wallace
Byrd	Greenstein	Peaden	Warner
Cantens	Hafner	Posey	Wasserman Schultz
Casey	Harrington	Prieguez	Waters
Constantine	Hart	Pruitt	Wiles
Cosgrove	Healey	Putnam	Wilson
Crady	Henriquez	Rayson	Wise
Crist	Heyman	Reddick	

Nays—None

Votes after roll call:

Yeas—Patterson

So the bill passed. On motion by Rep. Bense, the rules were suspended and the bill was immediately certified to the Senate.

HB 1915—A bill to be entitled An act relating to the Florida Education Fund; amending s. 240.498, F.S.; revising the membership of the board of directors of the Florida Education Fund; providing an effective date.

—was read the second time by title and, under Rule 121(b), referred to the Engrossing Clerk.

On motion by Reps. Arnall and L. Miller, the rules were suspended and the House moved to the order of—

Continuation of Bills and Joint Resolutions on Third Reading

HB 673 was taken up. On motion by Rep. Eggelletion, the rules were suspended and—

CS for SB 156—A bill to be entitled An act relating to the prevention of the sale of alcohol and tobacco products to minors; amending s. 562.11, F.S., relating to the purchase of alcohol by minors; amending s. 562.45, F.S.; providing restrictions on locations for on-premises consumption of alcoholic beverages; amending s. 569.11, F.S., relating

to the purchase of tobacco products by minors; providing an effective date.

—was substituted for HB 673 and read the second time by title. Under Rule 50, the House bill was laid on the table.

Representative(s) Eggelletion offered the following:

Amendment 1 (with title amendment)—

Remove from the bill: Everything after the enacting clause

and insert in lieu thereof:

Section 1. Subsection (2) of section 562.11, Florida Statutes, is amended to read:

562.11 Selling, giving, or serving alcoholic beverages to person under age 21; misrepresenting or misstating age or age of another to induce licensee to serve alcoholic beverages to person under 21; penalties.—

(2) It is unlawful for any person to misrepresent or misstate his or her age or the age of any other person for the purpose of inducing any licensee or his or her agents or employees to sell, give, serve, or deliver any alcoholic beverages to a person under 21 years of age, or for any person under 21 years of age to purchase or attempt to purchase alcoholic beverages.

(a) Anyone convicted of violating the provisions of this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person under the age of 17 years who violates such provisions shall be within the jurisdiction of the judge of the circuit court and shall be dealt with as a juvenile delinquent according to law.

(c) In addition to any other penalty imposed for a violation of this subsection, if a person uses a driver's license or identification card issued by the Department of Highway Safety and Motor Vehicles in violation of this subsection, the court:

1. May order the person to participate in public service or a community work project for a period not to exceed 40 hours; and

2. Shall direct the Department of Highway Safety and Motor Vehicles to withhold issuance of, or suspend or revoke, the person's driver's license or driving privilege, as provided in s. 322.056.

Section 2. Paragraph (a) of subsection (2) of section 562.45, Florida Statutes, is amended to read:

562.45 Penalties for violating Beverage Law; local ordinances; prohibiting regulation of certain activities or business transactions; requiring nondiscriminatory treatment; providing exceptions.—

(2)(a) Nothing contained in the Beverage Law shall be construed to affect or impair the power or right of any county or incorporated municipality of the state to enact ordinances regulating the hours of business and location of place of business, and prescribing sanitary regulations therefor, of any licensee under the Beverage Law within the county or corporate limits of such municipality. *However, except for premises licensed on or before July 1, 1999, and except for locations that are licensed as restaurants, which derive at least 51 percent of their gross revenues from the sale of food and nonalcoholic beverages, pursuant to chapter 509, a location for on-premises consumption of alcoholic beverages may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school unless the county or municipality approves the location as promoting the public health, safety, and general welfare of the community under proceedings as provided in s. 125.66(4), for counties, and s. 166.041(3)(c), for municipalities. This restriction shall not, however, be construed to prohibit the issuance of temporary permits to certain nonprofit organizations as provided for in s. 561.422.* The division may not issue a change in the series of a license or approve a change of a licensee's location unless the licensee provides documentation of proper zoning from the appropriate county or municipal zoning authorities.

Section 3. Subsection (2) of section 569.11, Florida Statutes, is amended to read:

569.11 Possession, misrepresenting age or military service to purchase, and purchase of tobacco products by persons under 18 years of age prohibited; penalties; jurisdiction; disposition of fines.—

(2) It is unlawful for any person under 18 years of age to misrepresent his or her age or military service for the purpose of inducing a dealer or an agent or employee of the dealer to sell, give, barter, furnish, or deliver any tobacco product, or to purchase, or attempt to purchase, any tobacco product from a person or a vending machine. Any person under 18 years of age who violates a provision of this subsection commits a noncriminal violation as provided in s. 775.08(3), punishable by:

(a) For a first violation, 16 hours of community service or, instead of community service, a \$25 fine and, in addition, the person must attend a school-approved anti-tobacco program, if available;

(b) For a second violation within 12 weeks of the first violation, a \$25 fine; or

(c) For a third or subsequent violation within 12 weeks of the first violation, the court must direct the Department of Highway Safety and Motor Vehicles to withhold issuance of or suspend or revoke the person's driver's license or driving privilege, as provided in s. 322.056.

Any second or subsequent violation not within the 12-week time period after the first violation is punishable as provided for a first violation.

Section 4. This act shall take effect July 1, 1999.

And the title is amended as follows:

On page 1, lines 2-10, remove from the title of the bill: all of said lines

and insert in lieu thereof: An act relating to the prevention of the sale of alcohol and tobacco products to minors; amending s. 562.11, F.S., relating to the purchase of alcohol by minors; amending s. 562.45, F.S.; providing restrictions on locations for on-premises consumption of alcoholic beverages; providing an exception for certain temporary permits; amending s. 569.11, F.S., relating to the purchase of tobacco products by minors; providing an effective date.

Rep. Eggleton moved the adoption of the amendment, which was adopted.

On motion by Rep. Eggleton, the rules were suspended and CS for SB 156, as amended, was read the third time by title. On passage, the vote was:

Yeas—106

Table with 4 columns listing names of representatives: The Chair, Albright, Alexander, Andrews, Arnall, Bainter, Ball, Barreiro, Bense, Betancourt, Bilirakis, Bitner, Bloom, Boyd, Bradley, Bronson, Brown, Brummer, Bullard, Bush, Byrd, Cantens, Casey, Constantine, Cosgrove, Crady, Crist, Crow, Detert, Diaz de la Portilla, Edwards, Effman, Eggelletion, Farkas, Fasano, Feeney, Fiorentino, Flanagan, Frankel, Fuller, Futch, Garcia, Gay, Goode, Goodlette, Gottlieb, Green, C., Greene, A., Greenstein, Hafner, Harrington, Hart, Healey, Henriquez, Heyman, Hill, Jacobs, Johnson, Jones, Kelly, Kilmer, Kosmas, Lawson, Levine, Littlefield, Maygarden, Melvin, Merchant, Miller, J., Miller, L., Minton, Morrioni, Murman, Ogles, Peaden, Posey, Prieguez, Pruitt, Putnam, Rayson

Table with 4 columns listing names of representatives: Reddick, Ritchie, Ritter, Roberts, Russell, Ryan, Sembler, Smith, C., Sobel, Sorensen, Spratt, Stafford, Stansel, Starks, Suarez, Trovillion, Tullis, Valdes, Villalobos, Wallace, Warner, Wasserman Schultz, Waters, Wiles, Wilson, Wise

Nays—4

Table with 4 columns listing names of representatives: Argenziano, Dockery, Lynn, Sublette

Votes after roll call:

Yeas—Kyle, Patterson
Nays to Yeas—Sublette

So the bill passed, as amended, and was certified to the Senate.

Continuation of Special Orders

CS/CS/HB 163—A bill to be entitled An act relating to local government code enforcement; amending s. 125.69, F.S.; providing an exception from certain notice requirements under certain circumstances; requiring owners of property subject to an enforcement proceeding to disclose certain information prior to transfer of such property; creating a presumption of fraud under certain circumstances; authorizing local governing bodies to make certain repairs under certain circumstances; providing for absence of liability for such repairs under certain circumstances; amending s. 162.03, F.S.; specifying the status of special masters; amending s. 162.04, F.S.; revising a definition; amending s. 162.06, F.S.; requiring owners of property subject to enforcement proceedings to provide disclosure and notice to prospective transferors under certain circumstances; providing a rebuttable presumption; providing for continuation of enforcement proceedings under certain circumstances; providing procedures; amending s. 162.09, F.S.; specifying that certain actions taken by a local government do not create continuing obligations or liabilities under certain circumstances; clarifying enforcement of orders imposing certain fines or costs; amending s. 162.12, F.S.; revising prescribed methods for providing certain notices; clarifying the time period for posting certain notices; amending s. 162.23, F.S.; providing an additional exception to requirements to provide reasonable time to correct violations under certain circumstances; amending ss. 125.0103 and 166.043, F.S.; authorizing local governments to enact public service rates for certain activities; providing for inapplicability of county rates for such activities in certain municipalities; providing severability; providing an effective date.

—was read the second time by title.

Representative(s) Garcia offered the following:

Amendment 1 (with title amendment)—On page 13, line 4 through page 15, line 8 remove from the bill: all of said lines

And the title is amended as follows:

On page 2, lines 6 through 11 remove from the title of the bill: all of said lines

and insert in lieu thereof: providing an effective date.

Rep. Garcia moved the adoption of the amendment.

Further consideration of CS/CS/HB 163, with pending amendment, was temporarily postponed under Rule 141.

On motion by Rep. Jones, the rules were suspended and the House moved to the order of—

Ceremonial Resolutions Calendar

HR 9155—A resolution honoring Dr. Carl M. Kuttler, Jr., President, St. Petersburg Junior College, recipient of the national Chief Executive Officer Award.

WHEREAS, Carl M. Kuttler, Jr., has for 20 years served as President of St. Petersburg Junior College, and

WHEREAS, Dr. Kuttler has led the community college into achieving high national rankings, including third in Associate in Arts degrees granted, fourth in Associate in Nursing degrees granted, fourth in Associate degrees in Health Professions and Related Sciences granted, and fourth in total Associate degrees granted, even though the SPJC ranks only 50th in enrollment, and

WHEREAS, he has initiated or helped to develop several innovative programs, including the nation's first Applied Ethics program as a requirement for graduation, and

WHEREAS, this CEO has demonstrated a caring attitude in many ways, such as calling each of the college's 1,000 full-time employees on their respective birthdays and sending each of them a card, establishing an employee recognition program, and sending a letter to each student who is among the top 3 percent in academic achievement, and

WHEREAS, he has been active in developing, organizing, and supporting state and national 2-year postsecondary education associations, for instance, by cosponsoring with former President Jimmy Carter a national leadership conference entitled "The Role of Community Colleges in Shaping the Nation," and by cosponsoring with former President Gerald Ford a national leadership conference called "Workforce 2000," and

WHEREAS, Dr. Kuttler has also served with distinction on technical and special committees relating to 2-year postsecondary education, among them the Florida Risk Management Consortium of the Florida Council of Presidents, of which he was chairman in 1997 and 1998, and

WHEREAS, he has exercised visionary leadership, by successfully lobbying for a tax referendum that produced several million dollars to pay for vital equipment; by parlaying an \$11.2 million gift of land and facilities, which was received from Allstate Insurance Company in 1988, into more than \$30 million in state and federal grants and contracts to build a thriving Southeastern Public Safety Institute that is unsurpassed in the nation as a community college program center; and by building partnerships with Unisys, Digital, Apple, Allstate, Chrysler, Leningrad (now St. Petersburg) University, and Baoji (China) University, and

WHEREAS, Dr. Kuttler has published numerous professional articles and books and has received many awards, which include being named "Father of the Community College System" in post-war Russia and receiving a mahogany rocking chair from his college family for his outstanding support of faculty initiatives, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives of the State of Florida commends Dr. Carl M. Kuttler, Jr., for the superlative leadership he has shown during 20 years as President of the St. Petersburg Junior College, and especially wishes to recognize the honor Dr. Kuttler has brought to his educational institution, his city, and this state, as the 1998 recipient of the national Chief Executive Officer of the Year Award bestowed by the National Association of Community College Trustees in Washington, D.C.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the House of Representatives of the State of Florida affixed, be presented to the St. Petersburg Junior College and to President Carl M. Kuttler, Jr., as a tangible token of the sentiments of the House of Representatives of the State of Florida.

—was read the second time by title. On motion by Rep. Jones, the resolution was adopted.

Continuation of Special Orders

CS/CS/HB 163—A bill to be entitled An act relating to local government code enforcement; amending s. 125.69, F.S.; providing an exception from certain notice requirements under certain circumstances; requiring owners of property subject to an enforcement

proceeding to disclose certain information prior to transfer of such property; creating a presumption of fraud under certain circumstances; authorizing local governing bodies to make certain repairs under certain circumstances; providing for absence of liability for such repairs under certain circumstances; amending s. 162.03, F.S.; specifying the status of special masters; amending s. 162.04, F.S.; revising a definition; amending s. 162.06, F.S.; requiring owners of property subject to enforcement proceedings to provide disclosure and notice to prospective transferors under certain circumstances; providing a rebuttable presumption; providing for continuation of enforcement proceedings under certain circumstances; providing procedures; amending s. 162.09, F.S.; specifying that certain actions taken by a local government do not create continuing obligations or liabilities under certain circumstances; clarifying enforcement of orders imposing certain fines or costs; amending s. 162.12, F.S.; revising prescribed methods for providing certain notices; clarifying the time period for posting certain notices; amending s. 162.23, F.S.; providing an additional exception to requirements to provide reasonable time to correct violations under certain circumstances; amending ss. 125.0103 and 166.043, F.S.; authorizing local governments to enact public service rates for certain activities; providing for inapplicability of county rates for such activities in certain municipalities; providing severability; providing an effective date.

—was taken up, having been read the second time earlier today; now pending on motion by Rep. Garcia to adopt Amendment 1.

The question recurred on the adoption of **Amendment 1**, which failed of adoption.

Representative(s) Levine offered the following:

Amendment 2 (with directory language and title amendments)—On page 9, line 31,

and insert in lieu thereof:

(2)(a) A fine imposed pursuant to this section shall not exceed \$250 per day for a first violation and shall not exceed \$500 per day for a repeat violation, and, in addition, may include all costs of repairs pursuant to subsection (1). However, if a code enforcement board finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000 per violation.

(b) In determining the amount of the fine, if any, the enforcement board shall consider the following factors:

1. The gravity of the violation;
2. Any actions taken by the violator to correct the violation; and
3. Any previous violations committed by the violator.

(c) An enforcement board may reduce a fine imposed pursuant to this section.

(d) A county or a municipality having a population equal to or greater than 50,000 may adopt, by a vote of at least a majority plus one of the entire governing body of the county or municipality, an ordinance that gives code enforcement boards or special masters, or both, authority to impose fines in excess of the limits set forth in paragraph (a). Such fines shall not exceed \$1,000 per day per violation for a first violation, \$5,000 per day per violation for a repeat violation, and up to \$15,000 per violation if the code enforcement board or special master finds the violation to be irreparable or irreversible in nature. In addition to such fines, a code enforcement board or special master may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs pursuant to subsection (1). Any ordinance imposing such fines shall include criteria to be considered by the code enforcement board or special master in determining the amount of the fines, including, but not limited to, those factors set forth in paragraph (b).

And the directory language is amended as follows:

On page 9, line 2,

insert after the word "amended": , and paragraph (d) is added to subsection (2) of said section,

And the title is amended as follows:

On page 1, line 28,

insert after the semicolon: authorizing certain counties or municipalities to adopt ordinances granting code enforcement boards or special masters authority to impose certain fines in excess of those authorized by law; specifying limitations; providing requirements;

Rep. Crist moved the adoption of the amendment, which was adopted.

Representative(s) Crist offered the following:

Amendment 3—On page 7, line 26 through page 8 line 3 remove from the bill: all of said lines

and insert in lieu thereof:

(5) "Repeat violation" means a violation of a provision of a code or ordinance by a person ~~who whom the code enforcement board~~ has been previously found ~~through a code enforcement board or any other quasi-judicial or judicial process~~, to have violated or who has admitted violating the same provision within 5 years prior to the violation, notwithstanding the violations occur at different locations.

Rep. Crist moved the adoption of the amendment, which was adopted.

On motion by Rep. Crist, under Rule 142(h), the following late-filed amendment was considered.

Representative(s) Crist offered the following:

Amendment 4—On page 13, line 21 remove from the bill: fees

and insert in lieu thereof: rates fees

Rep. Crist moved the adoption of the amendment, which was adopted.

Under Rule 121(b), the bill was referred to the Engrossing Clerk.

CS/HB 361—A bill to be entitled An act relating to partnership filings administered by the Department of State; amending s. 620.8101, F.S.; defining the terms "foreign limited liability partnership" and "limited liability partnership" and redefining the term "statement"; amending ss. 620.8103, 620.8105, 620.81055, 620.8106, 620.8201, 620.8303, 620.8304, 620.8306, 620.8307, 620.8701, 620.8702, 620.8703, 620.8704, 620.8801, 620.8805, 620.8806, 620.8807, 620.8903, 620.8904, 620.8906, and 620.8907, F.S.; conforming statutory cross references; providing for registration requirements; providing document filing fees; providing for governing law; providing for partners' liability; providing for actions for and against partners; providing for purchase of dissociated interests; providing for settlement and contribution; providing for conversions; providing for the effect of merger; creating ss. 620.9001, 620.9002, 620.9003, 620.9101, 620.9102, 620.9103, 620.9104, 620.9105, and 620.187, F.S.; adopting the model act provisions of the limited liability partnership act into the Revised Uniform Partnership Act of 1995; providing for statement of qualification, name, annual report, statement of foreign qualification, effect of failure to qualify, activities not constituting transacting business, action by Attorney General, and limited liability limited partnerships; amending s. 865.09, F.S.; providing for conditions for exemption from fictitious name registration; providing for the use of corporate names; providing for continuation of status of certain registered limited liability partnerships; redesignating s. 620.90, F.S., as s. 620.9901, F.S., relating to applicability; redesignating s. 620.91, F.S., as s. 620.9902, F.S., relating to a saving clause; repealing ss. 620.78, 620.781, 620.782, 620.783, 620.784, 620.7851, 620.786, 620.787, 620.788, 620.7885, 620.7887, and 620.789, F.S., relating to registered limited liability partnerships; providing an effective date.

—was read the second time by title.

The Committee on Financial Services offered the following:

Amendment 1—On page 27, line 3, remove from the bill: (6).

and insert in lieu thereof: (2)

Rep. Ritter moved the adoption of the amendment, which was adopted.

The Committee on Financial Services offered the following:

Amendment 2—On page 28, line 10, remove from the bill: provide

and insert in lieu thereof: specifically provided

Rep. Crow moved the adoption of the amendment, which was adopted.

Under Rule 121(b), the bill was referred to the Engrossing Clerk.

CS/HB 417—A bill to be entitled An act relating to real estate brokers and salespersons; amending s. 475.01, F.S.; eliminating the definition of the term "first contact"; amending s. 475.011, F.S.; providing a regulatory exemption for certain financial institutions in connection with certain transactions; amending s. 475.181, F.S.; referencing certification requirements of the Florida Real Estate Commission for licensure as a broker or salesperson; amending s. 475.25, F.S.; providing a ground for discipline relating to designation of salespersons as single agents for different customers in certain transactions; providing penalties; conforming cross references; amending s. 475.272, F.S.; revising intent of the Brokerage Relationship Disclosure Act to eliminate required disclosure of nonrepresentation; amending ss. 475.274 and 475.2755, F.S.; conforming cross references; repealing s. 475.276, F.S., relating to notice of nonrepresentation; amending s. 475.278, F.S.; requiring notice relating to disclosure of information prior to engaging in an authorized brokerage relationship; providing applicability or nonapplicability of brokerage relationship disclosure requirements to various real estate transactions; amending s. 475.2801, F.S.; removing a cross reference, to conform; amending ss. 475.482 and 475.483, F.S.; revising eligibility requirements for recovery from the Real Estate Recovery Fund; amending s. 475.5015, F.S.; removing a cross reference, to conform; providing an effective date.

—was read the second time by title.

Representative(s) J. Miller offered the following:

Amendment 1 (with title amendment)—On page 6, lines 4-13, remove from the bill: all of said lines

and insert in lieu thereof:

(12) *Any dealer registered under the Securities and Exchange Act of 1934, as amended, or any federally insured depository institution and any parent, subsidiary, or affiliate thereof, in connection with the sale, exchange, purchase, or rental of a business enterprise to or by a person who is an accredited investor as defined by 15 U.S.C. s. 77b, the Securities Act of 1933, or any regulation adopted thereunder. This exemption applies whether stock or assets of the business enterprise are purchased or sold. The exemption does not apply to a sale, exchange, purchase, or rental of land, buildings, fixtures or other improvements to the land which is not made in connection with the sale, exchange, purchase, or rental of a business enterprise. Any reference to rental in this subsection includes a lease transaction.*

And the title is amended as follows:

On page 1, line 6, remove from the title of the bill: all of said line

and insert in lieu thereof: a regulatory exemption for certain registered securities dealers and financial

Rep. J. Miller moved the adoption of the amendment, which was adopted.

Representative(s) J. Miller offered the following:

Amendment 2—On page 6, line 25, remove from the bill: from

and insert in lieu thereof: ~~after from~~

Rep. J. Miller moved the adoption of the amendment, which was adopted.

Representative(s) J. Miller offered the following:

Amendment 3—On page 10, line 31, before the period, and on page 13, line 31, before the period,

insert: *or before the showing of property, whichever occurs first*

Rep. J. Miller moved the adoption of the amendment, which was adopted.

Under Rule 121(b), the bill was referred to the Engrossing Clerk.

HB 79—A bill to be entitled An act relating to motor vehicle airbags; providing a short title; providing definitions; requiring a record of any sale, replacement, or installation of an airbag; specifying required information; providing for inspection and disclosure of such records; prohibiting certain activities; providing penalties; providing an effective date.

—was read the second time by title.

Representative(s) Stafford offered the following:

Amendment 1 (with title amendment)—On page 1, line 12, remove from the bill: everything after the enacting clause,

and insert in lieu thereof:

Section 1. *Airbag Antitheft Act.*—

(1) **SHORT TITLE.**—*This section may be cited as the "Airbag Antitheft Act."*

(2) **DEFINITIONS.**—*As used in this section, the term "airbag" means an inflatable restraint system that is designed to be installed and to operate in a motor vehicle to activate in the event of a crash; and the term "salvaged airbag" means an airbag that has been removed from a motor vehicle.*

(3) **PURCHASE, SALE, OR INSTALLATION OF SALVAGED AIRBAGS; RECORDS.**—*Any person engaged in the business of purchasing, selling, or installing salvaged airbags shall maintain a manual or electronic record of the purchase, sale, or installation, which must include the identification number of the salvaged airbag; the vehicle identification number of the vehicle from which the salvaged airbag was removed; the name, address, and driver's license number or other means of identification of the person from whom the salvaged airbag was purchased; and, in the event that the salvaged airbag is installed, the vehicle identification number of the vehicle into which the airbag is installed. Such record must be maintained for 36 months following the transaction and may be inspected during normal business hours by any law enforcement officer of this state or other authorized representative of the agency charged with administration of this section. Any person who sells a salvaged airbag or who installs a salvaged airbag must disclose to the purchaser or consumer that the airbag is salvaged. Upon request, information within a portion of such record pertaining to a specific transaction must be provided to an insurer or consumer.*

(4) **PROHIBITION; PENALTIES.**—

(a) *It is unlawful for any person to knowingly possess, sell, or install a stolen uninstalled airbag; a new or salvaged airbag from which the manufacturer's part identification number has been removed, altered, or defaced; or an airbag taken from a stolen motor vehicle. Any person who violates this paragraph commits a felony of the third degree, punishable as provided in section 775.082, section 775.083, or section 775.084, Florida Statutes.*

(b) *Any person who fails to maintain complete and accurate records, to prepare complete and accurate documents, to provide information within a portion of such record upon request, or to properly disclose that an airbag is salvaged, as required by this act, commits a misdemeanor*

of the first degree, punishable as provided in section 775.082 or section 775.083, Florida Statutes.

Section 2. This act shall take effect October 1, 1999.

And the title is amended as follows:

On page 1, lines 3-9 remove from the title of the bill: all of said lines,

and insert in lieu thereof: providing a short title; providing definitions; requiring any person engaged in the business of purchasing, selling, or installing salvaged airbags to maintain a record of any purchase, sale, or installation of a salvaged airbag; specifying required information; providing for inspection and disclosure of such records; requiring any person who sells or installs a salvaged airbag to disclose to the purchaser that the airbag is salvaged; prohibiting certain activities; providing penalties; providing an effective date.

Rep. Stafford moved the adoption of the amendment, which was adopted.

On motion by Rep. Stafford, the rules were suspended and HB 79, as amended, was read the third time by title. On passage, the vote was:

Yeas—115

The Chair	Crow	Jacobs	Ritchie
Albright	Detert	Johnson	Ritter
Alexander	Diaz de la Portilla	Jones	Roberts
Andrews	Dockery	Kelly	Rojas
Argenziano	Edwards	Kilmer	Russell
Arnall	Effman	Kosmas	Ryan
Bainter	Eggelletion	Kyle	Sembler
Ball	Farkas	Lacasa	Smith, C.
Barreiro	Fasano	Lawson	Sobel
Bense	Feeney	Levine	Sorensen
Betancourt	Fiorentino	Littlefield	Spratt
Bilirakis	Flanagan	Logan	Stafford
Bitner	Frankel	Lynn	Stansel
Bloom	Fuller	Maygarden	Starks
Boyd	Futch	Merchant	Suarez
Bradley	Garcia	Miller, J.	Sublette
Bronson	Gay	Miller, L.	Trovillion
Brown	Goode	Minton	Tullis
Brummer	Goodlette	Morrone	Turnbull
Bullard	Gottlieb	Murman	Valdes
Bush	Green, C.	Ogles	Villalobos
Byrd	Greene, A.	Patterson	Wallace
Cantens	Greenstein	Peaden	Warner
Casey	Hafner	Posey	Wasserman Schultz
Chestnut	Harrington	Prieguez	Waters
Constantine	Hart	Pruitt	Wiles
Cosgrove	Healey	Putnam	Wilson
Crady	Henriquez	Rayson	Wise
Crist	Heyman	Reddick	

Nays—None

Votes after roll call:

Yeas—Hill

So the bill passed, as amended. On motion by Rep. Stafford, the rules were suspended and the bill was immediately certified to the Senate after engrossment.

CS/HB 345—A bill to be entitled An act relating to the educational property tax exemption; amending s. 196.198, F.S.; providing circumstances in which land is considered to be property owned by an educational institution; providing an effective date.

—was read the second time by title and, under Rule 121(b), referred to the Engrossing Clerk.

CS/HB 681—A bill to be entitled An act relating to construction liens and bonds; amending s. 255.05, F.S., relating to payment bonds of

contractors constructing public buildings; providing that the time periods required for providing certain notices or bringing certain actions are not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; amending s. 713.06, F.S.; clarifying certain notice requirements with respect to perfecting a lien for labor, services, or materials furnished under contract; amending s. 713.08, F.S.; providing that the time period required for recording a claim of lien is not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; amending s. 713.135, F.S.; clarifying circumstances under which an entity issuing a building permit is subject to disciplinary procedures; providing an exception; amending s. 713.18, F.S., relating to service of notices and other instruments; providing for overnight delivery or second-day delivery under certain circumstances; amending s. 713.23, F.S.; providing that the time periods required for serving a notice of nonpayment or bringing certain actions are not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; providing an effective date.

—was read the second time by title.

Representative(s) Merchant offered the following:

Amendment 1 (with title amendment)—

Remove from the bill: Everything after the enacting clause and insert in lieu thereof:

Section 1. Paragraph (a) of subsection (2) of section 255.05, Florida Statutes, 1998 Supplement, is amended to read:

255.05 Bond of contractor constructing public buildings; form; action by materialmen.—

(2)(a)1. If a claimant is no longer furnishing labor, services, or materials on a project, a contractor or the contractor's agent or attorney may elect to shorten the prescribed time in this paragraph within which an action to enforce any claim against a payment bond provided pursuant to this section may be commenced by recording in the clerk's office a notice in substantially the following form:

NOTICE OF CONTEST OF CLAIM
AGAINST PAYMENT BOND

To: . . .(Name and address of claimant). . .

You are notified that the undersigned contests your notice of nonpayment, dated,, and served on the undersigned on, and that the time within which you may file suit to enforce your claim is limited to 60 days after the date of service of this notice.

DATED on

Signed: . . .(Contractor or Attorney). . .

The claim of any claimant upon whom such notice is served and who fails to institute a suit to enforce his or her claim against the payment bond within 60 days after service of such notice shall be extinguished automatically. The clerk shall mail a copy of the notice of contest to the claimant at the address shown in the notice of nonpayment or most recent amendment thereto and shall certify to such service on the face of such notice and record the notice. Service is complete upon mailing.

2. A claimant, except a laborer, who is not in privity with the contractor shall, before commencing or not later than 45 days after commencing to furnish labor, materials, or supplies for the prosecution of the work, furnish the contractor with a notice that he or she intends to look to the bond for protection. A claimant who is not in privity with the contractor and who has not received payment for his or her labor, materials, or supplies shall deliver to the contractor and to the surety written notice of the performance of the labor or delivery of the materials or supplies and of the nonpayment. The notice of nonpayment may be served at any time during the progress of the work or thereafter but not before 45 days after the first furnishing of labor, services, or materials, and not later than 90 days after the final furnishing of the

labor, services, or materials by the claimant or, with respect to rental equipment, not later than 90 days after the date that the rental equipment was last on the job site available for use. No action for the labor, materials, or supplies may be instituted against the contractor or the surety unless both notices have been given. *Notices required or permitted under this section may be served in accordance with s. 713.18.* An action, except for an action exclusively for recovery of retainage, must be instituted against the contractor or the surety on the payment bond or the payment provisions of a combined payment and performance bond within 1 year after the performance of the labor or completion of delivery of the materials or supplies. An action exclusively for recovery of retainage must be instituted against the contractor or the surety within 1 year after the performance of the labor or completion of delivery of the materials or supplies, or within 90 days after the contractor's receipt of final payment (or the payment estimate containing the owner's final reconciliation of quantities if no further payment is earned and due as a result of deductive adjustments) by the contractor or surety, whichever comes last. A claimant may not waive in advance his or her right to bring an action under the bond against the surety. In any action brought to enforce a claim against a payment bond under this section, the prevailing party is entitled to recover a reasonable fee for the services of his or her attorney for trial and appeal or for arbitration, in an amount to be determined by the court, which fee must be taxed as part of the prevailing party's costs, as allowed in equitable actions. *The time periods for service of a notice of nonpayment or for bringing an action against a contractor or a surety shall be measured from the last day of furnishing labor, services, or materials by the claimant and shall not be measured by other standards, such as the issuance of a certificate of occupancy or the issuance of a certificate of substantial completion.*

Section 2. Effective upon becoming a law, subsection (2) of section 713.06, Florida Statutes, 1998 Supplement, is amended to read:

713.06 Liens of persons not in privity; proper payments.—

(2)(a) All lienors under this section, except laborers, as a prerequisite to perfecting a lien under this chapter and recording a claim of lien, must serve a notice on the owner setting forth the lienor's name and address, a description sufficient for identification of the real property, and the nature of the services or materials furnished or to be furnished. A sub-subcontractor or a materialman to a subcontractor must serve a copy of the notice on the contractor as a prerequisite to perfecting a lien under this chapter and recording a claim of lien. A materialman to a sub-subcontractor must serve a copy of the notice to owner on the contractor as a prerequisite to perfecting a lien under this chapter and recording a claim of lien. A materialman to a sub-subcontractor shall serve the notice to owner on the subcontractor if the materialman knows the name and address of the subcontractor. The notice must be served before commencing, or not later than 45 days after commencing, to furnish his or her labor, services, or materials, but, in any event, before the date of the owner's disbursement of the final payment after the contractor has furnished the affidavit under subparagraph (3)(d)1. The notice must be served regardless of the method of payments by the owner, whether proper or improper, and does not give to the lienor serving the notice any priority over other lienors in the same category; and the failure to serve the notice, or to timely serve it, is a complete defense to enforcement of a lien by any person. The serving of the notice does not dispense with recording the claim of lien. The notice is not a lien, cloud, or encumbrance on the real property nor actual or constructive notice of any of them.

(b) If the owner, in his or her notice of commencement, has designated a person in addition to himself or herself to receive a copy of such lienor's notice, as provided in s. 713.13(1)(b), the lienor shall serve a copy of his or her notice on the person so designated. The failure by the lienor to serve such copy, however, does not invalidate an otherwise valid lien.

(c) The notice ~~may~~ **must** be in substantially the following form *and must include the information and the warning contained in the following form:*

WARNING TO OWNER: UNDER FLORIDA LAW, YOUR FAILURE TO MAKE SURE THAT WE ARE PAID MAY RESULT IN A LIEN AGAINST YOUR PROPERTY AND YOUR PAYING TWICE.

TO AVOID A LIEN AND PAYING TWICE, YOU MUST OBTAIN A WRITTEN RELEASE FROM US EVERY TIME YOU PAY YOUR CONTRACTOR.

NOTICE TO OWNER

To . . . (Owner's name and address). . .

The undersigned hereby informs you that he or she has furnished or is furnishing services or materials as follows:

. . . (General description of services or materials). . . for the improvement of the real property identified as . . . (property description). . . under an order given by.

Florida law prescribes the serving of this notice and restricts your right to make payments under your contract in accordance with Section 713.06, Florida Statutes.

IMPORTANT INFORMATION FOR YOUR PROTECTION

Under Florida's laws, those who work on your property or provide materials and are not paid have a right to enforce their claim for payment against your property. This claim is known as a construction lien.

If your contractor fails to pay subcontractors or material suppliers or neglects to make other legally required payments, the people who are owed money may look to your property for payment, EVEN IF YOU HAVE PAID YOUR CONTRACTOR IN FULL.

PROTECT YOURSELF:

—RECOGNIZE that this Notice to Owner may result in a lien against your property unless all those supplying a Notice to Owner have been paid.

—LEARN more about the Construction Lien Law, Chapter 713, Part I, Florida Statutes, and the meaning of this notice by contacting an attorney or the Florida Department of Business and Professional Regulation.

. . . (Lienor's Signature). . .
. . . (Lienor's Name). . .
. . . (Lienor's Address). . .

Copies to: . . . (Those persons listed in Section 713.06(2)(a) and (b), Florida Statutes). . .

The form may be combined with a notice to contractor given under s. 713.23 or s. 255.05 and, if so, may be entitled "NOTICE TO OWNER/NOTICE TO CONTRACTOR."

(d) A notice to an owner served on a lender must be in writing, must be served in accordance with s. 713.18, and shall be addressed to the persons designated, if any, and to the place and address designated in the notice of commencement. Any lender who, after receiving a notice provided under this subsection, pays a contractor on behalf of the owner for an improvement shall make proper payments as provided in paragraph (3)(c) as to each such notice received by the lender. The failure of a lender to comply with this paragraph renders the lender liable to the owner for all damages sustained by the owner as a result of that failure. This paragraph does not give any person other than an owner a claim or right of action against a lender for the failure of the lender to comply with this paragraph. Further, this paragraph does not prohibit a lender from disbursing construction funds at any time directly to the owner, in which event the lender has no obligation to make proper payments under this paragraph.

(e) A lienor, in the absence of a recorded notice of commencement, may rely on the information contained in the building permit application to serve the notice prescribed in paragraphs (a), (b), and (c).

(f) If a lienor has substantially complied with the provisions of paragraphs (a), (b), and (c), errors or omissions do not prevent the enforcement of a claim against a person who has not been adversely affected by such omission or error. However, a lienor must strictly comply with the time requirements of paragraph (a).

Section 3. Subsection (5) of section 713.08, Florida Statutes, 1998 Supplement, is amended to read:

713.08 Claim of lien.—

(5) The claim of lien may be recorded at any time during the progress of the work or thereafter but not later than 90 days after the final furnishing of the labor or services or materials by the lienor; or, with respect to rental equipment, within 90 days after the date that the rental equipment was last on the job site available for use; provided if the original contractor defaults or the contract is terminated under s. 713.07(4), no claim for a lien attaching prior to such default shall be recorded after 90 days from the date of such default or 90 days after the final performance of labor or services or furnishing of materials, whichever occurs first. *The time period for recording a claim of lien shall be measured from the last day of furnishing labor, services, or materials by the lienor and shall not be measured by other standards, such as the issuance of a certificate of occupancy or the issuance of a certificate of substantial completion.* The claim of lien shall be recorded in the clerk's office. If such real property is situated in two or more counties, the claim of lien shall be recorded in the clerk's office in each of such counties. The recording of the claim of lien shall be constructive notice to all persons of the contents and effect of such claim. The validity of the lien and the right to record a claim therefor shall not be affected by the insolvency, bankruptcy, or death of the owner before the claim of lien is recorded.

Section 4. Subsection (1) of section 713.135, Florida Statutes, 1998 Supplement, is amended to read:

713.135 Notice of commencement and applicability of lien.—

(1) When any person applies for a building permit, the authority issuing such permit shall:

(a) Print on the face of each permit card in no less than 18-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

(b) Provide the applicant and the owner of the real property upon which improvements are to be constructed with a printed statement stating that the right, title, and interest of the person who has contracted for the improvement may be subject to attachment under the Construction Lien Law. The Department of Business and Professional Regulation shall furnish, for distribution, the statement described in this paragraph, and the statement must be a summary of the Construction Lien Law and must include an explanation of the provisions of the Construction Lien Law relating to the recording, and the posting of copies, of notices of commencement and a statement encouraging the owner to record a notice of commencement and post a copy of the notice of commencement thereof in accordance with s. 713.13. However, the failure by the authorities to provide the summary does not subject the issuing authority to liability.

(c) Inform each applicant who is not the person whose right, title, and interest is subject to attachment that, as a condition to the issuance of a building permit, the applicant must promise in good faith that the statement will be delivered to the person whose property is subject to attachment.

(d) Furnish to the applicant two or more copies of a form of notice of commencement conforming with s. 713.13. If the direct contract is greater than \$2,500, the applicant shall file with the issuing authority prior to the first inspection either a certified copy of the recorded notice of commencement or a notarized statement that the notice of commencement has been filed for recording, along with a copy thereof. In the absence of the filing of a certified copy of the recorded notice of commencement, the issuing authority shall not perform or approve subsequent inspections until the applicant files by mail, facsimile, hand delivery, or any other means such certified copy with the issuing authority. *The certified copy of the notice of commencement must contain the name and address of the owner, the name and address of the*

contractor, and the location or address of the property being improved. The issuing authority shall verify that the name and address of the owner, the name of the contractor, and the location or address of the property being improved which is contained in the certified copy of the notice of commencement is consistent with the information in the building permit application. The issuing authority shall provide the recording information on the certified copy of the recorded notice of commencement to any person upon request. This subsection does not require ~~Nothing herein shall be interpreted as requiring or encouraging~~ the recording of a notice of commencement prior to the issuance of a building permit. If a local government requires a separate permit or inspection for installation of temporary electrical service or other temporary utility service, land clearing, or other preliminary site work, such permits may be issued and such inspections may be conducted without providing the issuing authority with a certified copy of a recorded notice of commencement or a notarized statement regarding a recorded notice of commencement. This subsection does not apply to a direct contract to repair or replace an existing heating or air-conditioning system in an amount less than \$5,000.

Section 5. (1) Upon this act becoming a law, subsection (6) is added to section 713.16, Florida Statutes, to read:

713.16 Demand for copy of contract and statements of account; form.—

(6) For purposes of this section, the term "information" means the nature and quantity of the labor, services, and materials furnished or to be furnished by a lienor and the amount paid, the amount due, and the amount to become due on the lienor's account. The failure to furnish the statement under oath does not constitute an omission of information and shall deprive the lienor of his or her lien.

(2) The amendment to this section is remedial in nature. The amendment is consistent with the plain meaning and the original intent of s. 319 of chapter 94-119, Laws of Florida. Accordingly, it is the intent of the Legislature that the amendment to this section shall become effective immediately upon becoming law, and shall apply retroactively to May 4, 1994.

Section 6. Section 713.18, Florida Statutes, 1998 Supplement, is amended to read:

713.18 Manner of serving notices and other instruments.—

(1) Service of notices, claims of lien, affidavits, assignments, and other instruments permitted or required under this part, or copies thereof when so permitted or required, unless otherwise specifically provided in this part, must be made by one of the following methods:

(a) By actual delivery to the person to be served; or, if a partnership, to one of the partners; or, if a corporation, to an officer, director, managing agent, or business agent thereof.

(b) By mailing the same, postage prepaid, by registered or certified mail to the person to be served at her or his last known address and evidence of delivery. If a notice to owner or a notice to contractor under s. 713.23 is mailed pursuant to this paragraph within 40 days after the date the lienor first furnishes labor, services, or materials, service of that notice is effective as of the date of mailing if the person who served the notice maintains a registered or certified mail log that shows the date the notice was served, the registered or certified mail number issued by the United States Postal Service, the name and address of the person served, and the date stamp of the United States Postal Service confirming the date of mailing. If an instrument served pursuant to this paragraph to the last address shown in the notice of commencement or any amendment thereto or, in the absence of a notice of commencement, to the last address shown in the building permit application is not received, but is returned by the United States Postal Service as being "refused," "moved, not forwardable," or "unclaimed," or is otherwise not delivered or deliverable through no fault of the person serving the item, then service is effective as of the date of mailing.

(c) If neither of the foregoing methods can be accomplished, by posting on the premises.

(2) If the real property is owned by more than one person, a lienor may serve any notices or other papers under this part on any one of such owners, and such notice is deemed notice to all owners.

(3) Service of notices or copies thereof, permitted or required under this part, may be made by facsimile transmission when the person being served has listed that person's facsimile phone number in the Notice of Commencement. The lienor's facsimile confirmation sheet with the correct facsimile phone number shall be proof of the date and time the notice was served.

Section 7. Paragraphs (d) and (e) of subsection (1) of section 713.23, Florida Statutes, 1998 Supplement, are amended to read:

713.23 Payment bond.—

(1)

(d) In addition, a lienor is required, as a condition precedent to recovery under the bond, to serve a written notice of nonpayment to the contractor and the surety not later than 90 days after the final furnishing of labor, services, or materials by the lienor. A written notice satisfies this condition precedent with respect to the payment described in the notice of nonpayment and with respect to any other payments which become due to the lienor after the date of the notice of nonpayment. The time period for serving a written notice of nonpayment shall be measured from the last day of furnishing labor, services, or materials by the lienor and shall not be measured by other standards, such as the issuance of a certificate of occupancy or the issuance of a certificate of substantial completion. The failure of a lienor to receive retainage sums not in excess of 10 percent of the value of labor, services, or materials furnished by the lienor is not considered a nonpayment requiring the service of the notice provided under this paragraph. The notice under this paragraph may be in substantially the following form:

NOTICE OF NONPAYMENT

To . . . (name of contractor and address). . .

. . . (name of surety and address). . .

The undersigned notifies you that he or she has furnished . . . (describe labor, services, or materials). . . for the improvement of the real property identified as . . . (property description). . . The amount now due and unpaid is \$. . . .

. . . (signature and address of lienor). . .

(e) No action for the labor or materials or supplies may be instituted or prosecuted against the contractor or surety unless both notices have been given. No action shall be instituted or prosecuted against the contractor or against the surety on the bond under this section after 1 year from the performance of the labor or completion of delivery of the materials and supplies. The time period for bringing an action against the contractor or surety on the bond shall be measured from the last day of furnishing labor, services, or materials by the lienor and shall not be measured by other standards, such as the issuance of a certificate of occupancy or the issuance of a certificate of substantial completion. A contractor or the contractor's agent or attorney may elect to shorten the prescribed time within which an action to enforce any claim against a payment bond provided pursuant to this section or s. 713.245 may be commenced by recording in the clerk's office a notice in substantially the following form:

NOTICE OF CONTEST OF CLAIM AGAINST PAYMENT BOND

To: . . . (Name and address of lienor). . .

You are notified that the undersigned contests your notice of nonpayment, dated . . . , . . . , and served on the undersigned on . . . , . . . , and that the time within which you may file suit to enforce your claim is limited to 60 days from the date of service of this notice.

DATED on . . . ,

Signed: . . . (Contractor or Attorney). . .

The claim of any lienor upon whom such notice is served and who fails to institute a suit to enforce his or her claim against the payment bond

within 60 days after service of such notice shall be extinguished automatically. The clerk shall mail a copy of the notice of contest to the lienor at the address shown in the notice of nonpayment or most recent amendment thereto and shall certify to such service on the face of such notice and record the notice. Service is complete upon mailing.

Section 8. Paragraph (g) of subsection (1) of section 468.621, Florida Statutes, 1998 Supplement, is amended to read:

468.621 Disciplinary proceedings.—

(1) The following acts constitute grounds for which the disciplinary actions in subsection (2) may be taken:

(g) *Failing to properly enforce applicable building codes by committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property by failure to properly enforce applicable building codes.*

Section 9. Except as otherwise provided herein, this act shall take effect October 1, 1999.

And the title is amended as follows:

remove from the title of the bill: the entire title

and insert in lieu thereof: A bill to be entitled An act relating to construction; amending s. 468.621, F.S.; amending certain grounds for disciplinary action against building code administrators and building officials; amending s. 255.05, F.S., relating to payment bonds of contractors constructing public buildings; providing that the time periods required for providing certain notices or bringing certain actions are not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; amending s. 713.06, F.S.; clarifying certain notice requirements with respect to perfecting a lien for labor, services, or materials furnished under contract; amending s. 713.08, F.S.; providing that the time period required for recording a claim of lien is not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; amending s. 713.135, F.S.; clarifying circumstances under which an entity issuing a building permit is subject to disciplinary procedures; providing an exception; amending s. 713.16, F.S.; providing a definition; providing legislative intent; amending s. 713.18, F.S., relating to service of notices and other instruments; amending s. 713.23, F.S.; providing that the time periods required for serving a notice of nonpayment or bringing certain actions are not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; providing effective dates.

Rep. Merchant moved the adoption of the amendment.

Representative(s) Merchant offered the following:

Amendment 1 to Amendment 1 (with title amendment)—On page 1, between lines 16 & 17,

Insert:

Section 1. Section 47.025, Florida Statutes, is created to read:

47.025 Actions against contractors.—Any venue provision in a contract for improvement to real property which requires legal action involving a resident contractor, subcontractor, sub-subcontractor, or materialman, as defined in s. 713.01, to be brought outside this state is void as a matter of public policy. To the extent that the venue provision in the contract is void under this section, any legal action arising out of that contract shall be brought only in this state in the county where the defendant resides, where the cause of action accrued, or where the property in litigation is located, unless, after the dispute arises, the parties stipulate to another venue.

And the title is amended as follows:

On page 17, line 1, after the semicolon,

Insert: creating s. 47.025, F.S.; providing that certain venue provisions in a contract for improvement of real property are void; specifying appropriate venue for actions against resident contractors, subcontractors, sub-subcontractors, and materialmen;

Rep. Merchant moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

Under Rule 121(b), the bill was referred to the Engrossing Clerk.

HB 1077—A bill to be entitled An act relating to civil-law notaries; amending s. 118.10, F.S.; requiring such notaries to provide a bond and take an oath to honestly carry out their duties; requiring that the bond be approved by and filed with the Secretary of State and be executed by a surety company authorized to do business in this state; providing an effective date.

—was read the second time by title.

The Committee on Judiciary offered the following:

Amendment 1 (with title amendment)—

Remove from the bill: Everything after the enacting clause

and insert in lieu thereof:

Section 1. Section 117.103, Florida Statutes, is amended to read:

117.103 Certification of notary's authority by Secretary of State.—A notary public is not required to record his or her notary public commission in an office of a clerk of the circuit court. If certification of the notary public's commission is required, it must be obtained from the Secretary of State. Upon the receipt of a written request, ~~the notarized document~~, and a fee of \$10 payable to the Secretary of State, the Secretary of State shall provide a *certified copy of the notary public's original certificate of commission which shall be legally sufficient to establish the notary public's authority to provide the services specifically authorized for a notary public by the Florida Statutes, and which may be used in support of domestic transactions.* ~~certificate of notarial authority. Documents destined for countries participating in an International Treaty called the Hague Convention require an Apostille, and that requirement shall be determined by the Secretary of State.~~

Section 2. Section 118.10, Florida Statutes, is amended to read:

118.10 Civil-law notary.—

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

(a) "Authentic act" means an instrument executed by a civil-law notary referencing this section, which includes the particulars and capacities to act of *the transacting party or parties*, a confirmation of the full text of the instrument, the signatures of the *party or parties* or legal equivalent thereof, and the signature and seal of a civil-law notary as prescribed by the Florida Secretary of State.

(b) "Civil-law notary" means a person who is a member in good standing of The Florida Bar, who has practiced law for at least 5 years, and who is appointed by the Secretary of State as a civil-law notary.

(c) "Protocol" means a registry maintained by a civil-law notary in which the acts of the civil-law notary are archived.

(2) The Secretary of State shall have the power to appoint civil-law notaries and administer this section.

(3) A civil-law notary is authorized to issue authentic acts and *thereby may authenticate or certify any document, transaction, event, condition or occurrence. The contents of an authentic act and matters incorporated therein shall be presumed correct. A civil-law notary may also administer an oath and make a certificate thereof when it is necessary for execution of any writing or document to be attested, protested, or published under the seal of a notary public. A civil-law notary may also take acknowledgements of deeds and other instruments of writing for record, and solemnize the rites of matrimony, as fully as other officers of this state. A civil-law notary is not authorized to issue authentic acts for use in a jurisdiction if the United States Department of State has determined that the jurisdiction does not have diplomatic relations with the United States or is a terrorist country, or if trade with*

the jurisdiction is prohibited under the Trading With the Enemy Act of 1917, as amended, 50 U.S.C. ss. 1, et seq.

(4) The authentic acts, oaths and acknowledgements, and solemnizations of a civil-law notary shall be recorded in the civil-law notary's protocol in a manner prescribed by the Secretary of State.

(5) The Secretary of State may adopt rules prescribing:

(a) The form and content of *authentic acts, oaths, acknowledgments, solemnizations and signatures and seals or their legal equivalents. for authentic acts;*

(b) Procedures for the permanent archiving of authentic acts, maintaining records of acknowledgments, oaths and solemnizations, and procedures for the administration of oaths and taking of acknowledgments *and for solemnizations;*

(c) The charging of reasonable fees to be retained by the Secretary of State for the purpose of administering this section;

(d) Educational requirements and procedures for testing applicants' knowledge of *all matters relevant to the appointment, authority, duties or legal or ethical responsibilities of a civil-law notary the effects and consequences associated with authentic acts;*

(e) Procedures for the disciplining of civil-law notaries, including *but not limited to* the suspension and revocation of appointments *for failure to comply with the requirements of Chapter 118 or the rules of the Department of State,* for misrepresentation or fraud regarding the civil-law notary's authority, the effect of the civil-law notary's authentic acts, or the identities or acts of the parties to a transaction; ~~and~~

(f) *Bonding or errors and omissions insurance requirements, or both, for civil-law notaries.*

(g)(4) Other matters necessary for administering this section.

(6) The Secretary of State shall not regulate, discipline or attempt to discipline, ~~or establish any educational requirements for~~ any civil-law notary for, or with regard to, any action or conduct that would constitute the practice of law in this state, except by agreement with The Florida Bar. The Secretary of State shall not establish as a prerequisite to the appointment of a civil-law notary any test containing any question that inquires of the applicant's knowledge regarding the practice of law in the United States, *unless such test is offered in connection with an educational program approved by the Florida Bar for continuing legal education credit except by agreement with The Florida Bar.*

(7) The powers of civil-law notaries include, but are not limited to, all of the powers of a notary public under any law of this state.

(8) This section shall not be construed as abrogating the provisions of any other act relating to notaries public, attorneys, or the practice of law in this state.

Section 3. Section 118.42, Florida Statutes, is created to read:

118.12 Certification of civil-law notary's authority; apostilles.—If certification of a civil-law notary's authority is necessary for a particular document or transaction, it must be obtained from the Secretary of State. Upon the receipt of a written request from a civil-law notary, a copy of the document, and a fee of \$10 payable to the Secretary of State, the Secretary of State shall provide a certification of the civil-law notary's authority which may be used in support of the document submitted and any related transaction. Documents destined for countries participating in an International Treaty called the Hague Convention may require an Apostille and the Secretary of State shall upon receiving a written request from a civil-law notary, a copy of the document, and a fee of \$10 payable to the Secretary of State, provide an apostille conforming to the requirements of the Hague Convention and including such other matters as the Secretary of State may establish by rule.

Section 4. This act shall take effect September 1, 1999.

And the title is amended as follows:

On page 1,
remove entire title of bill

and insert in lieu thereof: An act relating to notaries public and civil-law notaries; amending s. 117.03, F.S., providing for the issuance of certified copies of certificates of commission; amending s. 118.10, F.S.; clarifying the definition and purposes of authentic acts; providing for a presumption of correctness; expanding and clarifying the Secretary of State's rulemaking powers with regard to authentic acts, acknowledgements, oaths, solemnizations of marriage, and discipline, testing, bonding, and insurance requirements for civil-law notaries; creating s. 118.12, F.S., authorizing the issuance of certificates of notarial authority and apostilles to civil-law notaries; providing an effective date.

Rep. Kosmas moved the adoption of the amendment.

Representative(s) Kosmas offered the following:

Substitute Amendment 1 (with title amendment)—
remove from the bill: Remove everything after the enacting clause
and insert in lieu thereof:

Section 1. Subsection (6) is added to section 15.16, Florida Statutes, to read:

15.16 Reproduction of records; admissibility in evidence; electronic receipt and transmission of records; certification; acknowledgment.—

(6) The Secretary of State is authorized to issue apostilles. The Secretary of State shall have the sole authority to establish, in conformity with the laws of the United States, the requirements and procedures for the issuance of apostilles and may charge a fee for the issuance of an apostille not to exceed \$10 per apostille.

Section 2. Section 117.103, Florida Statutes, is amended to read:

117.103 Certification of notary's authority by Secretary of State.—A notary public is not required to record his or her notary public commission in an office of a clerk of the circuit court. If certification of the notary public's commission is required, it must be obtained from the Secretary of State. Upon the receipt of a written request, ~~the notarized document,~~ and a fee of \$10 payable to the Secretary of State, the Secretary of State shall provide a *certified copy of the notary public's original certificate of commission which shall be legally sufficient to establish the notary public's authority to provide the services specifically authorized for a notary public by the Florida Statutes, and shall issue a certificate of notarial authority, the contents of which shall be determined by the Secretary of State and shall establish for third parties the extent of the legal authority of the notary public. certificate of notarial authority. Documents destined for countries participating in an International Treaty called the Hague Convention require an Apostille, and that requirement shall be determined by the Secretary of State.*

Section 3. Section 118.10, Florida Statutes, is amended to read:

118.10 Civil-law notary.—

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

(a) "Authentic act" means an instrument executed by a civil-law notary referencing this section, which includes the particulars and capacities to act of *the transacting party or parties,* a confirmation of the full text of the instrument, the signatures of the *party or parties* or legal equivalent thereof, and the signature and seal of a civil-law notary as prescribed by the Florida Secretary of State.

(b) "Civil-law notary" means a person who is a member in good standing of The Florida Bar, who has practiced law for at least 5 years, and who is appointed by the Secretary of State as a civil-law notary.

(c) "Protocol" means a registry maintained by a civil-law notary in which the acts of the civil-law notary are archived.

(2) The Secretary of State shall have the power to appoint civil-law notaries and administer this section.

(3) A civil-law notary is authorized to issue authentic acts and thereby may authenticate or certify any document, transaction, event, condition or occurrence. The contents of an authentic act and matters incorporated therein shall be presumed correct. A civil-law notary may also administer an oath and make a certificate thereof when it is necessary for execution of any writing or document to be attested, protested, or published under the seal of a notary public. A civil-law notary may also take acknowledgements of deeds and other instruments of writing for record, and solemnize the rites of matrimony, as fully as other officers of this state. A civil-law notary is not authorized to issue authentic acts for use in a jurisdiction if the United States Department of State has determined that the jurisdiction does not have diplomatic relations with the United States or is a terrorist country, or if trade with the jurisdiction is prohibited under the Trading With the Enemy Act of 1917, as amended, 50 U.S.C. ss. 1, et seq.

(4) The authentic acts, oaths and acknowledgements, and solemnizations of a civil-law notary shall be recorded in the civil-law notary's protocol in a manner prescribed by the Secretary of State.

(5) The Secretary of State may adopt rules prescribing:

(a) The form and content of *authentic acts, oaths, acknowledgments, solemnizations and signatures and seals or their legal equivalents.* ~~for authentic acts;~~

(b) Procedures for the permanent archiving of authentic acts, maintaining records of acknowledgments, oaths and solemnizations, and procedures for the administration of oaths and taking of acknowledgments *and for solemnizations;*

(c) The charging of reasonable fees to be retained by the Secretary of State for the purpose of administering this section;

(d) Educational requirements and procedures for testing applicants' knowledge of *all matters relevant to the appointment, authority, duties or legal or ethical responsibilities of a civil-law notary* ~~the effects and consequences associated with authentic acts;~~

(e) Procedures for the disciplining of civil-law notaries, including *but not limited to* the suspension and revocation of appointments *for failure to comply with the requirements of Chapter 118 or the rules of the Department of State*, for misrepresentation or fraud regarding the civil-law notary's authority, the effect of the civil-law notary's authentic acts, or the identities or acts of the parties to a transaction; ~~and~~

(f) *Bonding or errors and omissions insurance requirements, or both, for civil-law notaries.*

(g)~~(f)~~ Other matters necessary for administering this section.

(6) The Secretary of State shall not regulate, discipline or attempt to discipline, ~~or establish any educational requirements for~~ any civil-law notary for, or with regard to, any action or conduct that would constitute the practice of law in this state, except by agreement with The Florida Bar. The Secretary of State shall not establish as a prerequisite to the appointment of a civil-law notary any test containing any question that inquires of the applicant's knowledge regarding the practice of law in the United States, *unless such test is offered in connection with an educational program approved by the Florida Bar for continuing legal education credit* ~~except by agreement with The Florida Bar.~~

(7) The powers of civil-law notaries include, but are not limited to, all of the powers of a notary public under any law of this state.

(8) This section shall not be construed as abrogating the provisions of any other act relating to notaries public, attorneys, or the practice of law in this state.

Section 4. Section 118.42, Florida Statutes, is created to read:

118.12 Certification of civil-law notary's authority; apostilles.—If certification of a civil-law notary's authority is necessary for a particular document or transaction, it must be obtained from the Secretary of State. Upon the receipt of a written request from a civil-law notary, a copy of the document, and a fee of \$10 payable to the Secretary of State, the Secretary

of State shall provide a certification of the civil-law notary's authority which may be used in support of the document submitted and any related transaction. Documents destined for countries participating in an International Treaty called the Hague Convention may require an Apostille and the Secretary of State shall upon receiving a written request from a civil-law notary, a copy of the document, and a fee of \$10 payable to the Secretary of State, provide an apostille conforming to the requirements of the Hague Convention and including such other matters as the Secretary of State may establish by rule.

Section 5. This act shall take effect September 1, 1999.

And the title is amended as follows:

remove from the title of the bill: the entire title

and insert in lieu thereof: A bill to be entitled An act relating to notaries public and civil-law notaries; amending s. 15.16, F.S.; authorizing the Secretary of State to issue apostilles; authorizing a fee; amending s. 117.03, F.S., providing for the issuance of certified copies of certificates of commission and certificates of notarial authority; amending s. 118.10, F.S.; clarifying the definition and purposes of authentic acts; providing for a presumption of correctness; expanding and clarifying the Secretary of State's rulemaking powers with regard to authentic acts, acknowledgements, oaths, solemnizations of marriage, and discipline, testing, bonding, and insurance requirements for civil-law notaries; creating s. 118.12, F.S., authorizing the issuance of certificates of notarial authority and apostilles to civil-law notaries; providing an effective date.

Rep. Kosmas moved the adoption of the substitute amendment, which was adopted.

Under Rule 121(b), the bill was referred to the Engrossing Clerk.

CS/HBs 421 & 485—A bill to be entitled An act relating to evidence; providing that evidence of voluntary intoxication is not admissible for certain purposes; providing an exception; providing an effective date.

—was read the second time by title and, under Rule 121(b), referred to the Engrossing Clerk.

On motion by Rep. Arnall, the rules were suspended and the House moved to the order of—

Ceremonial Resolutions Calendar

HR 9145—A resolution recognizing the four Tallahassee members of the USA Gymnastics National Teams.

WHEREAS, four gymnasts of the Gym Force Athletic Training Center of Tallahassee have been chosen as members of USA Gymnastics National Teams, an accomplishment that entitles them and their coaches to train at the Olympic Training Center in Colorado Springs, and

WHEREAS, Shannon Carrion, a senior student at Florida State University School, is one of the 8-member 1998-1999 Men's Junior Elite Team, made up of youth 16 through 18 years of age, and

WHEREAS, Lawton Hill, a freshman honor student at Leon High School, is the All-Around Junior Olympic National Champion, Pommel Horse Champion, Class 3, and is a member of the 14-man 1998-1999 Men's Junior National Team, and

WHEREAS, Brian Clark, 14, who is home schooled, is also one of the 14 members of the 1998-1999 Men's Junior National Team, and

WHEREAS, Garrett Barber, a seventh grader at Raa Middle School, is on the 10-member 1998 Future Stars National Team, and

WHEREAS, these national team members spend a minimum of 15 hours over 5 days a week training under the direction of their coaches, Jim Hisey, Kevin Standriff, and Brian Mosier, all graduates of Florida State University, and it is appropriate that they be recognized for their commitment and hard work, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives pause in its deliberations to congratulate Shannon Carrion, Lawton Hill, Brian Clark, and Garrett Barber for their attainment as national team members of the USA Gymnastics Program and to wish them well in their future competitions.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to each of these team members and to each of their coaches.

—was read the second time by title. On motion by Rep. Turnbull, the resolution was adopted.

HR 9147—A resolution honoring and commending Tallahassee Habitat for Humanity.

WHEREAS, Habitat for Humanity International, a nonprofit, nondenominational, ecumenical Christian ministry dedicated to eliminating substandard housing and homelessness worldwide, was founded by Millard and Linda Fuller in Americus, Georgia, in 1976, and

WHEREAS, the mission of Habitat for Humanity is to provide simple, decent, and affordable housing for people in need, and

WHEREAS, Habitat for Humanity is a home-ownership program, not a charity program, affording families in need the opportunity to purchase homes through 400 hours of “sweat equity” and 20-year, zero-interest mortgages, and

WHEREAS, since its founding, Habitat for Humanity volunteers have built and rehabilitated more than 70,000 homes around the world, providing more than 350,000 people with safe, decent, affordable shelter, and

WHEREAS, in February 1982 Tallahassee Habitat for Humanity was founded and in December 1998 completed construction of and dedicated its 50th home, and

WHEREAS, it is appropriate that Tallahassee Habitat for Humanity be recognized and honored for its efforts toward eliminating substandard housing in Leon County, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives commends Tallahassee Habitat for Humanity for its zeal in providing affordable housing to those to whom it might not otherwise be available and extends heartiest congratulations on the occasion of its having reached the milestone achievement of building its 50th home.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Board of Directors of Tallahassee Habitat for Humanity as a tangible token of the sentiments expressed herein.

—was read the second time by title. On motion by Rep. Turnbull, the resolution was adopted.

Messages from the Senate

First Reading by Publication

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 64 and SB 130, as amended; passed SB 134; passed CS for SB 144 and SB 160, as amended; passed SB 248; passed CS for CS for SB 306 and SBs 676, 712, and 876, as amended; passed SB 904, as amended, by the required Constitutional three-fifths vote of the members of the Senate; passed CS for SB 932; passed SB 1396, as amended; passed CS for SB 1494 and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Judiciary and Senators Grant and Brown-Waite—

CS for SB 64—A bill to be entitled An act relating to government; creating the “Citizen Participation in Government Act” and providing

for its purposes; defining terms; providing procedures for the judiciary to respond to lawsuits relating to the constitutional right to petition the government for redress of grievances; providing an effective date.

Referred to the Committee(s) on General Government Appropriations.

By Senator Klein—

SB 130—A bill to be entitled An act relating to the prosecution of juveniles as adults; amending s. 985.227, F.S.; providing for a juvenile to be prosecuted as an adult if the juvenile is charged with grand theft of a motor vehicle; and has a prior adjudication for grand theft of a motor vehicle; reenacting s. 985.21(4)(e), F.S., relating to the state attorney’s authority to prosecute a juvenile as an adult, to incorporate the amendment to s. 985.227, F.S., in a reference thereto; providing an effective date.

Referred to the Committee(s) on Criminal Justice Appropriations.

By Senator Klein—

SB 134—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; correcting a misplaced statutory provision relating to the unlawful sale or possession of a controlled substance within a specified area surrounding a child care facility; providing that certain enhanced penalties do not apply unless the owner or operator of the facility posts a sign identifying the facility as a child care facility; providing an effective date.

Referred to the Committee(s) on Criminal Justice Appropriations.

By the Committee on Transportation and Senator Hargrett—

CS for SB 144—A bill to be entitled An act relating to Murphy Act lands; amending s. 253.82, F.S.; providing for conveyance of all Murphy Act transportation easements to the governmental entity currently having title to the adjacent roadway; requiring the establishment of a procedure for review of deeds containing Murphy Act transportation reservations; setting requirements for the review process; providing for compensation of certain property owners if the reservation denies the property owner the current economic use of the property; amending s. 712.04, F.S.; providing for reservations of easements in deeds by the Board of Trustees of the Internal Improvement Trust Fund to be extinguished on a specified date, subject to certain limitations; providing applicability; amending s. 712.05, F.S.; providing procedures by which a governmental entity may preserve a road reservation; requiring notice; providing an effective date.

Referred to the Committee(s) on Transportation & Economic Development Appropriations.

By Senators Hargrett and Meek—

SB 160—A bill to be entitled An act relating to domestic violence; amending s. 741.30, F.S.; providing that a child may not obtain an injunction for protection against domestic violence based on acts committed by a family member unless such acts constitute harm or child abuse or neglect; providing an effective date.

Referred to the Committee(s) on Criminal Justice Appropriations.

By Senator Kurth—

SB 248—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; allowing a person who met the experience requirement to practice orthotics, prosthetics, or pedorthics before a specified date to apply for licensure, based on the person’s experience and educational preparation, without meeting the educational requirements set forth in statute; providing an effective date.

Referred to the Committee(s) on Health & Human Services Appropriations.

By the Committees on Fiscal Resource, Natural Resources and Senator Bronson—

CS for CS for SB 306—A bill to be entitled An act relating to land management; amending s. 259.032, F.S.; providing for the use of

Conservation and Recreation Lands funds to manage additional lands; authorizing the use of certain equipment on conservation and recreation lands; amending s. 372.57, F.S.; providing for an exemption to the recreational user permit fee; providing an effective date.

Referred to the Committee(s) on General Government Appropriations.

By Senator Horne—

SB 676—A bill to be entitled An act relating to taxation; amending s. 220.03, F.S.; revising definitions relating to the income tax code to incorporate the most recent changes to the United States Internal Revenue Code; defining “citrus processing company”; amending s. 220.151, F.S.; allowing certain citrus processing companies to elect to determine the apportionment of their adjusted federal income to this state solely by use of the sales factor; providing for retroactive application; providing an effective date.

Referred to the Committee(s) on General Government Appropriations.

By the Committee on Gubernatorial Appointments and Confirmations and Senator Myers and others—

SB 712—A bill to be entitled An act relating to executive appointments; amending s. 14.29, F.S., relating to terms of members of the Florida Commission on Community Service; deleting obsolete provisions; amending s. 20.171, F.S., relating to terms of members of the Unemployment Appeals Commission within the Department of Labor and Employment Security; deleting obsolete provisions; amending s. 20.23, F.S., relating to the Secretary of Transportation; deleting obsolete provisions; amending s. 20.255, F.S.; clarifying the terms of members of the Environmental Regulation Commission within the Department of Environmental Protection; amending s. 20.315, F.S., relating to terms of members of the Florida Corrections Commission within the Department of Corrections; deleting obsolete provisions; amending s. 20.316, F.S.; requiring that the Secretary of Juvenile Justice be confirmed by the Senate; amending s. 20.41, F.S., relating to the Secretary of Elderly Affairs; deleting obsolete provisions; requiring the Director of Health Care Administration to be confirmed by the Senate; amending s. 186.504, F.S.; clarifying membership and specifying terms of members of regional planning councils; amending s. 231.545, F.S., relating to membership on the Education Standards Commission within the Department of Education; deleting obsolete provisions; amending s. 240.145, F.S., relating to terms of members of the Postsecondary Education Planning Commission; deleting obsolete provisions; amending s. 240.313, F.S.; specifying the terms of members of the board of trustees of a community college; amending s. 246.205, F.S., relating to terms of members of the State Board of Nonpublic Career Education; deleting obsolete provisions; amending s. 288.707, F.S.; clarifying membership on the Florida Black Business Investment Board within the Office of Tourism, Trade, and Economic Development; deleting obsolete provisions; amending s. 288.901, F.S., relating to the board of directors of Enterprise Florida, Inc.; deleting obsolete provisions; amending s. 288.9412, F.S., relating to the International Trade and Economic Development Board within Enterprise Florida, Inc.; deleting the requirement that certain specified members be confirmed by the Senate; revising the membership of the board; deleting obsolete provisions; amending s. 288.9512, F.S., relating to the Technology Development Board within Enterprise Florida, Inc.; deleting obsolete provisions; amending s. 288.9604, F.S., relating to terms of members of the Florida Development Finance Corporation; deleting obsolete provisions; amending s. 288.9611, F.S., relating to the appointment and terms of members of the Capital Development Board within Enterprise Florida, Inc.; deleting obsolete provisions; amending s. 288.9620, F.S., relating to the appointment and terms of members of the Workforce Development Board within Enterprise Florida, Inc.; deleting obsolete provisions; amending s. 331.308, F.S., relating to the board of supervisors of the Spaceport Florida Authority; deleting a requirement that the Senate confirm the legislative ex officio members of the board; deleting obsolete provisions relating to appointments and terms; amending s. 349.03, F.S., relating to terms of members of the Jacksonville Transportation Authority; deleting obsolete provisions; amending s. 350.01, F.S., relating to terms of members of the Florida

Public Service Commission; deleting obsolete provisions; clarifying the term for the chairperson of the commission; amending s. 370.19, F.S.; revising the membership of the Atlantic States Marine Fisheries Commission; revising requirements for the legislative ex officio members of the commission; specifying terms of office; amending s. 370.20, F.S., relating to the Gulf States Marine Fisheries Commission; revising requirements for the legislative ex officio members of the commission; specifying terms of office; amending s. 373.0693, F.S.; clarifying terms of office for members of basin boards within the water management districts; amending s. 380.504, F.S., relating to terms of members of the Florida Communities Trust within the Department of Community Affairs; deleting obsolete provisions; amending s. 404.31, F.S., relating to terms of members of the Southeast Interstate Low-Level Radioactive Waste Management Commission; deleting obsolete provisions; amending s. 447.205, F.S., relating to terms of the Public Employees Relations Commission within the Department of Labor and Employment Security; deleting obsolete provisions; repealing s. 464.0045, F.S., relating to terms of members of the Board of Nursing; amending s. 468.1135, F.S., relating to terms and qualifications of members of the Board of Speech-Language Pathology and Audiology; deleting obsolete provisions; amending s. 468.203, F.S., relating to the practice of occupational therapy; providing a definition; amending s. 468.205, F.S., relating to terms for members of the Board of Occupational Therapy Practice; deleting obsolete provisions; amending s. 468.4315, F.S., relating to terms of members of the Regulatory Council of Community Association Managers; deleting obsolete provisions; amending s. 468.521, F.S., relating to terms of members of the Board of Employee Leasing Companies; deleting obsolete provisions; amending s. 468.605, F.S., relating to terms of the members of the Florida Building Code Administrators and Inspectors Board; deleting obsolete and conflicting provisions; amending s. 468.801, F.S., relating to the terms of members of the Board of Orthotists and Prosthetists; deleting obsolete provisions; amending s. 475.02, F.S., relating to terms of the members of the Florida Real Estate Commission within the Department of Business and Professional Regulation; deleting obsolete provisions; amending s. 475.613, F.S., relating to terms and qualifications of members of the Florida Real Estate Appraisal Board; deleting obsolete provisions; amending s. 476.054, F.S., relating to terms of members of the Barbers' Board; deleting conflicting provisions; amending s. 477.015, F.S., relating to terms of the members of the Board of Cosmetology; deleting a limitation on terms of appointment; amending s. 480.035, F.S., relating to terms of the members of the Board of Massage Therapy; deleting a limitation on terms of appointment; amending s. 483.805, F.S., relating to terms of members of the Board of Clinical Laboratory Personnel; deleting obsolete provisions; amending s. 489.107, F.S., relating to terms of the members of the Construction Industry Licensing Board; deleting a limitation on terms of appointment; amending s. 491.004, F.S., relating to terms of the members of the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling; deleting obsolete provisions; amending s. 497.101, F.S., relating to terms of the members of the Board of Funeral and Cemetery Services; deleting obsolete provisions; amending s. 601.04, F.S., relating to the appointment and terms of members of the Florida Citrus Commission within the Department of Citrus; deleting obsolete provisions; clarifying terms of members following redistricting; amending s. 945.602, F.S., relating to qualifications of the members of the State of Florida Correctional Medical Authority; deleting obsolete provisions; amending ss. 947.01, 947.03, F.S., relating to the appointment and number of members of the Parole Commission; deleting obsolete provisions; repealing s. 947.022, F.S., relating to terms and appointment of members of the Parole Commission; providing an effective date.

Referred to the Committee(s) on Governmental Rules & Regulations.

By Senator Forman and others—

SB 876—A bill to be entitled An act relating to designations; designating the Sawgrass Expressway in Broward County as the “Jerry Thompson Expressway”; directing the Department of Transportation to erect markers; designating the State Veterans’ Nursing Home in Pembroke Pines as the Alexander “Sandy” Nininger, Jr. State Veterans’

Nursing Home; directing the Department of Veterans' Affairs to erect suitable markers; designating the Florida Records Storage Center of the Department of State as the Jim Smith Building; directing the Department of State to erect suitable markers; providing an effective date.

Referred to the Committee(s) on Community Affairs.

By Senator Latvala and others—

SB 904—A bill to be entitled An act creating the Surface Water Improvement and Management Trust Fund; providing its purposes; providing a conditional effective date.

Referred to the Committee(s) on Environmental Protection and General Government Appropriations.

By the Committee on Criminal Justice and Senator Brown-Waite—

CS for SB 932—A bill to be entitled An act relating to Department of Corrections; amending s. 944.10, F.S.; limiting the services that may be provided by the department when it contracts with governmental entities for planning and designing buildings, parks, roads, and other projects; providing an effective date.

Referred to the Committee(s) on Criminal Justice Appropriations.

By Senator Burt—

SB 1396—A bill to be entitled An act relating to the registration of drugs, devices, and cosmetics; amending s. 499.015, F.S.; exempting from ss. 499.015, 499.041(6), F.S., manufacturers of medical devices that meet specified requirements of the federal Food and Drug Administration; requiring certain information to be submitted with such a manufacturer's application for a permit to do business in this state; providing an effective date.

Referred to the Committee(s) on Health & Human Services Appropriations.

By the Committee on Regulated Industries and Senator Saunders—

CS for SB 1494—A bill to be entitled An act relating to water and wastewater systems; amending s. 367.021, F.S.; redefining the term "governmental authority"; amending s. 367.022, F.S.; providing for an additional exemption; amending s. 367.071, F.S.; authorizing specified transactions before Public Service Commission approval; providing an effective date.

Referred to the Committee(s) on Utilities & Communications.

Motion to Adjourn

Rep. Arnall moved that the House adjourn for the purpose of holding committee meetings and conducting other House business, to reconvene at 9:50 a.m., Thursday, April 15. The motion was agreed to.

Recorded Votes

Rep. Albright:

Yea—HB 85; passage of CS/HB 133 after concurrence in Senate amendment(s)

Rep. Bainter:

Yea—HB 85

Rep. Crow:

Yea—Amendment 1 to HB 1943

Prime Sponsors

CS/HB 17—Bradley

Cosponsors

CS/HB 43—Feeney, Lynn

HB 55—Fasano

HB 99—Spratt

CS/CS/HB 163—Brown

HB 235—Merchant

HB 333—Brown, Chestnut, Putnam, Rayson

CS/HB 383—C. Green

CS/HB 417—Brown, Detert, Lynn, Melvin, Ogles, Posey

CS/HBs 421 & 485—Lynn

CS/HB 423—Brown

HB 457—Albright

HM 531—Hart, Kyle, Littlefield, J. Miller

HB 707—Andrews, Fasano, Gay, Hill, Jones, Levine, Merchant, Ritter, Sembler, Wasserman Schultz

CS/HBs 751, 753 & 755—Putnam

HB 931—C. Green, Johnson, Kelly

HB 935—Heyman

HB 953—Merchant

HB 1067—C. Green

HB 1411—Dennis

HB 1631—Alexander, Bullard, Healey

HB 1641—C. Green

HB 1881—Lynn

HB 2137—Dennis, Kosmas, Suarez, Valdes, Wilson

HB 2139—Dennis, Kosmas, Suarez, Valdes, Wilson

Withdrawals as Cosponsor

HB 651—Cantens

Introduction and Reference

By Representative Diaz de la Portilla—

HB 2189—A bill to be entitled An act relating to privacy; prohibiting retail establishments and their employees and agents from directly observing or using video cameras or other surveillance equipment to observe customers in dressing rooms, fitting rooms, changing rooms, or rest rooms; providing penalties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Ritter—

HB 2191—A bill to be entitled An act relating to health insurance; providing for unenforceability against certain persons or entities of charges for certain services under certain circumstances; providing a definition; providing a limitation; providing an exception; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Business Development & International Trade; Representatives Bradley, Ritchie, Hart, Wallace, Sanderson, Betancourt, Prieguez, Russell, and Reddick—

HB 2193—A bill to be entitled An act relating to maritime and international trade infrastructure; amending s. 163.3178, F.S.; requiring certain ports to identify certain spoil disposal sites; requiring such ports to prepare comprehensive master plans; amending s. 163.3187, F.S.; exempting comprehensive plan amendments for port transportation facilities and projects from a time limitation; amending s. 253.77, F.S.; exempting certain ports from paying fees for activities involving the use of sovereign lands; amending s. 288.8155, F.S.; providing that the International Trade Data Resource and Research Center shall be incorporated as a private nonprofit corporation, and shall not be a unit or entity of state government; providing for the creation and constitution of a board of directors of the center; authorizing the center to acquire patents, copyrights, and trademarks on its property and publications; amending s. 311.07, F.S.; providing that projects eligible for funding under the Florida Seaport Transportation and Economic Development Program must be consistent with port master plans; exempting certain port transportation facilities and projects from review as developments of regional impact; providing for the use of certain program funds; amending s. 311.09, F.S.; declaring

that projects eligible for funding under the Florida Seaport Transportation and Economic Development Program are presumed to be in the public interest; amending s. 311.11, F.S.; providing that the Florida Seaport Transportation and Economic Development Council shall develop a Seaport Training and Employment Program; providing legislative purposes and requirements for the program; providing for use of funds; amending s. 380.06, F.S.; exempting certain port projects from review as developments of regional impact; amending s. 380.24, F.S.; providing that the Department of Environmental Protection shall be exclusively responsible for permitting and enforcement of dredged-material management and other related activities; creating s. 14.2019, F.S.; establishing the Florida Trade Council; providing membership, powers, and duties; amending s. 212.0606, F.S.; revising the rental car surcharge distributions; amending s. 288.826, F.S.; revising use of proceeds in the International Trade and Promotion Trust Fund; providing an appropriation; creating s. 288.064, F.S.; creating the Florida Economic Infrastructure Program; creating s. 311.20, F.S.; establishing the Northwest Florida Seaport Transportation and Economic Development Council; providing for membership, powers, and duties; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Business Development & International Trade; Representatives Bradley, Ritchie, Hart, Wallace, Sanderson, Betancourt, Prieguez, Russell, and Reddick—

HB 2195—A bill to be entitled An act relating to economic development; creating s. 14.2019, F.S.; establishing the Florida Trade Council within the Executive Office of the Governor; providing responsibilities; providing for membership; providing for terms and per diem and travel expenses; requiring the council to develop certain plans for certain purposes; providing powers of the council; providing for an executive director and staff of the council; amending s. 288.901, F.S.; revising the organization and membership of Enterprise Florida, Inc.; amending s. 288.9015, F.S.; revising the mission of Enterprise Florida, Inc.; amending s. 288.90151, F.S.; revising the private sector contribution requirement for funding of Enterprise Florida, Inc.; amending s. 288.902, F.S.; revising the nominating process for the Enterprise Florida, Inc., board of directors; replacing the nominating council with a nominating committee; amending s. 288.903, F.S.; revising the membership of the Enterprise Florida, Inc., executive committee; amending s. 288.904, F.S.; revising the powers of the board of directors; providing for advisory committees; amending s. 288.905, F.S.; revising the duties of the board of directors; revising requirements for a strategic plan; requiring a report to the Legislature; amending s. 288.906, F.S.; revising requirements for an annual report; requiring cooperation of Enterprise Florida Inc., staff with the Office of Tourism, Trade, and Economic Development; amending ss. 288.9415, F.S.; 288.9515, 288.95155, 288.9520, 288.9603, 288.9604, 288.9614, and 288.9618, F.S., to conform; amending s. 288.9620, F.S.; revising the role of the workforce development board; revising provisions relating to the nominating process for the board of directors; providing for the continuation of certain contracts; providing the transfer of certain property; amending s. 288.9610, F.S., to conform; repealing s. 288.9511(3), F.S., relating to a definition of a board; repealing s. 288.90152, F.S., relating to a pilot matching grant program; repealing ss. 288.9412, 288.9413, 288.9414, and 288.942, F.S., relating to the International Trade and Economic Development Board and a grant review panel; repealing ss. 288.9510, 288.9512, 288.9513, 288.9514, 288.9516, 288.9517, 288.9519, F.S., relating to the Enterprise Florida Innovation Partnership; repealing ss. 288.9611, 288.9612, 288.9613, 288.9615, and 288.9616, F.S., relating to the capital development board; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Criminal Justice Appropriations; Representative Villalobos—

HB 2197—A bill to be entitled An act relating to trust funds; creating the Juvenile Welfare Trust Fund within the Department of Juvenile Justice; providing for sources of funds and purposes; providing for

annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Criminal Justice Appropriations; Representative Villalobos—

HB 2199—A bill to be entitled An act relating to trust funds; creating the Juvenile Care and Maintenance Trust Fund within the Department of Juvenile Justice; providing sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Fasano—

HB 2201—A bill to be entitled An act relating to collective bargaining; amending s. 30.53, F.S.; providing for local option, either by designation by the sheriff or by referendum of the citizens of the county, for the designation of certain deputy sheriffs as “public employees” for collective bargaining purposes; providing for the application of the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Transportation & Economic Development Appropriations; Representative Fuller—

HB 2203—A bill to be entitled An act relating to trust funds; re-creating the Florida Public Service Regulatory Trust Fund within the Florida Public Service Commission without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Education/K-12; Representative Diaz de la Portilla—

HB 2205—A bill to be entitled An act relating to charter school capital outlay funding; amending s. 228.0561, F.S.; removing references to the Public Education Capital Outlay and Debt Service Trust Fund; transferring authority for written agreements relating to lien provisions; specifying that funds appropriated for charter schools capital outlay purposes will be deposited in the General Revenue Fund; revising the funding allocation calculation for charter schools; revising requirements relating to charter school use of capital outlay funds; revising eligibility requirements for charter school receipt of capital outlay funds; removing obsolete language; providing additional capital funding to municipal charter schools; amending s. 235.42, F.S., relating to educational and ancillary plant construction funds, to remove a reference to charter schools; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on General Government Appropriations; Representative Sembler—

HB 2207—A bill to be entitled An act relating to child support enforcement; amending s. 409.2561, F.S.; requiring deposit into the General Revenue Fund of funds retained by the state to reimburse public assistance payments made to or for the benefit of dependent children; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Education Appropriations; Representative Wise—

HB 2209—A bill to be entitled An act relating to trust funds; creating s. 240.5125, F.S.; creating the University of South Florida Health Support Trust Fund within the State University System; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Education Appropriations; Representative Wise—

HB 2211—A bill to be entitled An act relating to public school funding; creating the Citizens Commission on Funding K-12 Education; providing legislative intent; providing composition, organization, and duties of the commission; assigning the commission to the Joint Legislative Management Committee for fiscal and administrative purposes; authorizing reimbursement to members for per diem and travel expenses incurred in the performance of commission duties; providing for appointment of an executive director and employment of staff; authorizing entering into contracts or agreements for required expertise; authorizing application for and acceptance of funds and services from public and private sources; requiring submission of draft and final recommendations to improve the system of funding K-12 education to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Commissioner of Education, and providing for termination of the commission upon submission of the final recommendations; providing for public hearings around the state prior to submission of the final recommendations; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Education Appropriations; Representative Wise—

HB 2213—A bill to be entitled An act relating to trust funds; creating s. 240.4595, F.S.; creating the Student Loan Guaranty Administrative Fund within the Department of Education; providing for sources of funds and purposes; exempting the fund from various service charges; providing for annual carryforward of funds; providing for future review and termination or re-creation of the fund; providing for transfer of certain funds to the fund; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Education Appropriations; Representative Wise—

HB 2215—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Education; providing for disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; declaring the findings of the Legislature that specified trust funds within the Department of Education are exempt from the termination requirements of s. 19(f), Art. III of the State Constitution; repealing s. 3, ch. 95-114, Laws of Florida, and s. 3, ch. 95-115, Laws of Florida, to eliminate future review and termination or re-creation of the Ancillary Facilities Construction Trust Fund and the Education-Contracts, Grants, and Donations Trust Fund; amending s. 11.2423, F.S.; providing that acts declaring trust funds exempt from constitutional termination requirements are not repealed by the adoption of the Florida Statutes; amending ss. 28.101, 446.52, 741.01, F.S.; correcting cross references; repealing ss. 236.1229 and 236.12295, F.S., relating to the Florida School Improvement and Academic Achievement Trust Fund and grants from the trust fund; amending ss. 240.235 and 240.243, F.S.; eliminating reference to the Incidental Trust Fund; revising provisions relating to deposit of revenues from the service charge assessed for payment of university tuition and fees in installments and redefining the term "state funds" for purposes of provisions relating to the number of classroom teaching hours required of university faculty members, to conform; amending s. 240.36, F.S.; revising funding provisions of the Dr. Philip Benjamin Academic Improvement Program; amending s. 240.334, F.S., to conform; repealing s. 240.3835, F.S., relating to the Community College Capital Facilities Matching Trust Fund; amending s. 240.383, F.S.; revising funding provisions of the Community College Capital Facilities Matching Program, to conform; repealing s. 240.408, F.S., relating to the Challenger Astronauts Memorial Undergraduate Scholarship Trust Fund; amending ss. 229.602 and 240.4082, F.S., relating to the teacher/quest partnership program and the Teacher/Quest Scholarship Program, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Education Appropriations; Representative Wise—

HB 2217—A bill to be entitled An act relating to trust funds; creating s. 235.21955, F.S.; creating the Lottery Capital Outlay and Debt Service Trust Fund within the Department of Education; providing for sources of funds; providing purposes; providing for annual carryforward of funds; providing for transfer of certain funds to the trust fund; proclaiming that the trust fund is exempt from constitutional termination; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Sanderson—

HB 2219—A bill to be entitled An act relating to the Department of Management Services; amending s. 20.22, F.S.; transferring functions of the Divisions of State Group Insurance and Retirement to the department; abolishing the Florida State Group Insurance Council; amending ss. 110.1227, 110.123, 110.12315, 110.1232, 110.1234, 110.161, 112.05, 112.3173, 112.352, 112.354, 112.356, 112.358, 112.361, 112.362, 112.363, 112.63, 112.64, 112.658, 112.665, 121.021, 121.025, 121.027, 121.031, 121.051, 121.0511, 121.0515, 121.052, 121.055, 121.071, 121.081, 121.091, 121.101, 121.111, 121.133, 121.135, 121.136, 121.1815, 121.1905, 121.192, 121.193, 121.22, 121.23, 121.24, 121.30, 121.35, 121.40, 121.45, 122.02, 122.03, 122.05, 122.06, 122.07, 122.08, 122.10, 122.12, 122.13, 122.15, 122.16, 122.23, 122.30, 122.34, 122.351, 175.032, 175.111, 175.121, 175.1215, 175.261, 175.341, 175.351, 175.361, 175.401, 185.02, 185.09, 185.10, 185.105, 185.221, 185.23, 185.35, 185.37, 185.50, 189.412, 215.20, 215.28, 215.50, 238.01, 238.02, 238.03, 238.05, 238.07, 238.08, 238.09, 238.10, 238.11, 238.12, 238.14, 238.15, 238.171, 238.181, 238.32, 240.3195, 250.22, 321.17, 321.19, 321.191, 321.202, 321.203, 321.2205, 413.051, 633.382, 650.02, F.S., to conform to the restructuring of the department by this act; requiring executive departments to report information on boards, commissions, and similar entities to the department, along with recommendations for continuance, abolition, or revision; requiring the department to report that information to the Governor and the Legislature; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Committee(s) on Governmental Operations.

By the Committee on Education/K-12; Representative Diaz de la Portilla—

HB 2221—A bill to be entitled An act relating to definitions of education terms; amending s. 228.041, F.S.; revising definitions of "dropout," "graduation rate," and "dropout rate"; amending s. 236.1228, F.S., relating to statewide education accountability indicators; correcting a cross reference; conforming terminology; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative C. Green—

HB 2223—A bill to be entitled An act relating to homestead tax exemptions; amending s. 196.011, F.S.; deleting requirements for social security numbers to be included on applications for homestead exemptions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Russell—

HB 2225—A bill to be entitled An act relating to ad valorem tax administration; repealing s. 196.011(1)(b) and (11), F.S., which require the inclusion of the applicant's and the applicant's spouse's social security numbers on applications for specified ad valorem tax exemptions, and on short form and renewal applications for such exemptions beginning with tax year 2000; amending s. 193.114, F.S.; specifying that the public records exemption for such social security numbers will continue to apply to such numbers previously submitted;

amending s. 193.1142, F.S.; removing the requirement that assessment rolls include such numbers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Committee on Health & Human Services Appropriations; Representative Sanderson—

HB 2227—A bill to be entitled An act relating to health care; amending s. 409.912, F.S., relating to purchase of goods and services for Medicaid recipients; requiring the Agency for Health Care Administration to develop certain programs and initiatives relating to the prescribing, use, and dispensing of drugs; providing for an advisory panel on prescription practice patterns; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Sorensen—

HB 2229—A bill to be entitled An act relating to sewage treatment, reuse, and disposal; providing requirements for sewage treatment, reuse, and disposal facilities and onsite sewage treatment and disposal systems in Monroe County; prohibiting new or expanded discharges into surface waters; eliminating existing surface water discharges by a specified date; requiring existing sewage facilities that do not discharge to surface waters and onsite sewage treatment and disposal systems to meet certain treatment requirements by a specified date; requiring new or expanded discharges to other than surface waters and new onsite sewage treatment and disposal systems to meet certain treatment requirements; establishing requirements for Class V injection wells; providing exceptions to requirements of the act; providing for actions of the Department of Environmental Protection to ensure compliance with state water quality standards; requiring all sewage treatment facilities and all new onsite sewage treatment and disposal systems to monitor for nitrogen and phosphorus; providing responsibilities of the Department of Environmental Protection and the Department of Health to ensure proper operation of facilities and systems; requiring adoption of rules; amending s. 381.0065, F.S.; deleting requirement for advanced waste treatment by onsite sewage treatment and disposal systems in the Florida Keys; requiring a report on sewage treatment technology and on water quality in Monroe County; requiring a report on sewage charges, fees, and assessments in Monroe County and on the Monroe County Wastewater Master Plan; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Byrd—

HR 9159—A resolution recognizing the week of April 18-24, 1999, as National Organ and Tissue Donor Awareness Week.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By Representative Dennis—

HR 9161—A resolution honoring Mr. Ed Holt.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Dennis—

HR 9163—A resolution recognizing the important work of “Mothers in Prison, Children in Crisis.”

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Sanderson—

HR 9165—A resolution designating October 1999 as Breast Cancer Awareness Month.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Turnbull—

HR 9167—A resolution designating May 12, 1999, as “Fibromyalgia Syndrome and Chronic Fatigue Syndrome Awareness Day” in the State of Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By Representative Bloom—

HR 9169—A resolution honoring the life of Peppy Fields (Rosalind Flaxman).

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By Representative Logan—

HR 9171—A resolution in recognition of the City of Opa-locka Arabian Nights Festival.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Melvin and Rayson—

HR 9173—A resolution in recognition of Jim Moran and Pat Moran.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Melvin, Maygarden, J. Miller, Peaden, and Ritchie—

HR 9175—A resolution honoring Tanisha Rickman for her accomplishments as a member of the University of West Florida women’s basketball team.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

HB 2123—Referred to the Committee(s) on Education Innovation and General Government Appropriations.

HB 2173—Referred to the Committee(s) on Health Care Licensing & Regulation, Governmental Rules & Regulations, and Health & Human Services Appropriations.

HR 9057—Referred to the Calendar of the House.

HR 9059—Referred to the Calendar of the House.

HR 9061—Referred to the Calendar of the House.

HR 9063—Referred to the Calendar of the House.

HR 9069—Referred to the Calendar of the House.

HR 9071—Referred to the Calendar of the House.

HR 9073—Referred to the Calendar of the House.

HR 9075—Referred to the Calendar of the House.

HR 9077—Referred to the Calendar of the House.

HR 9081—Referred to the Calendar of the House.

HR 9083—Referred to the Calendar of the House.

HR 9085—Referred to the Calendar of the House.

HR 9087—Referred to the Calendar of the House.

HR 9089—Referred to the Calendar of the House.

HR 9091—Referred to the Calendar of the House.

HR 9093—Referred to the Calendar of the House.

HR 9095—Referred to the Calendar of the House.
HR 9097—Referred to the Calendar of the House.
HR 9103—Referred to the Calendar of the House.
HR 9107—Referred to the Calendar of the House.
HR 9109—Referred to the Calendar of the House.
HR 9111—Referred to the Calendar of the House.
HR 9113—Referred to the Calendar of the House.
HR 9121—Referred to the Calendar of the House.
HR 9123—Referred to the Calendar of the House.
HR 9127—Referred to the Calendar of the House.
HR 9129—Referred to the Calendar of the House.
HR 9131—Referred to the Calendar of the House.
HR 9133—Referred to the Calendar of the House.
HR 9139—Referred to the Calendar of the House.
HR 9141—Referred to the Calendar of the House.
HR 9143—Referred to the Calendar of the House.
HR 9145—Referred to the Calendar of the House.
HR 9147—Referred to the Calendar of the House.
HR 9149—Referred to the Calendar of the House.
HR 9151—Referred to the Calendar of the House.
HR 9153—Referred to the Calendar of the House.
HR 9155—Referred to the Calendar of the House.
HR 9157—Referred to the Calendar of the House.

Additional Reference of Bills

CS/HB 2013 was further referred to the Committee on Criminal Justice Appropriations.

Reference of Committee Substitutes Combining Bills

Under Rule 113(c), all previous references for the bills combined in CS/HBs 63 & 623 were rescinded and CS/HBs 63 & 623 was subsequently referred to the Committee on General Government Appropriations.

Under Rule 113(c), all previous references for the bills combined in CS/HBs 1927 & 961 were rescinded and CS/HBs 1927 & 961 was subsequently referred to the Committee on Health & Human Services Appropriations.

First Reading of Committee Substitutes by Publication

By the Committee on Community Affairs; Representatives Constantine, Posey, C. Green, Gay, Fasano, Jones, Kelly, Detert, Russell, Putnam, Byrd, Brown, Brummer, Farkas, Morroni, Bainter, Murman, Fiorentino, Ball, Jacobs, Kosmas, and Spratt—

CS/HBs 63 & 623—A bill to be entitled An act relating to factory-built housing safety; amending s. 20.18, F.S.; creating the Division of Factory-built Housing in the Department of Community Affairs; providing a mission statement for the department; transferring certain powers, duties, functions, personnel, property, and appropriations of the department to the division; transferring certain powers, duties, functions, personnel, property, and appropriations of the Department of Highway Safety and Motor Vehicles to the division; authorizing the Department of Community Affairs and the Department of Highway Safety and Motor Vehicles to enter into agreements to effectuate such transfers; providing for transfer of the mobile home portion of the Mobile

Home and Recreational Vehicle Protection Trust Fund into the department's operating trust fund for certain purposes; transferring the portion of the Highway Safety Operating Trust Fund relating to mobile homes into the department's operating trust fund for certain purposes; amending s. 320.781, F.S., to conform; amending s. 553.36, F.S.; providing definitions; amending s. 553.38, F.S.; providing responsibility of the Division of Factory-built Housing to enforce part IV of chapter 553, F.S.; creating ss. 553.433, 553.434, 553.4365, 553.437, 553.438, 553.446, 553.448, 553.449, 553.450, 553.451, 553.452, 553.453, 553.455, 553.456, 553.457, 553.458, F.S.; recreating certain provisions under chapter 320, F.S., within part IV of chapter 553, F.S., to conform; transferring and renumbering ss. 320.823, 320.8335, F.S., to conform; transferring, renumbering, and amending ss. 320.8255, 320.827, 320.8285, 320.830, 320.831, 320.8325, F.S., to conform; requiring the division to adopt rules on manufactured housing installation systems; requiring the development of certain standards for park trailers; renumbering and amending s. 320.8249, F.S., to conform; amending ss. 161.55, 316.515, 319.001, 320.131, 320.27, 320.8232, 320.824, 320.8245, 320.8256, 320.834, 320.835, 627.351, 627.702, F.S., to conform; providing an effective date.

By the Committee on Crime & Punishment; Representatives Russell, Bense, Fasano, Greenstein, Effman, Jacobs, Gottlieb, and Posey—

CS/HB 379—A bill to be entitled An act relating to the sale of dog and cat fur; creating s. 828.123, F.S.; prohibiting the killing of a dog or cat with the sole intent of selling or giving away the pelt of the animal; providing a third degree felony penalty for violation; prohibiting the possession, import into this state, selling, buying, giving away, or acceptance of any pelt of a dog or cat with the sole intent of selling or giving away the pelt; providing a first degree misdemeanor penalty for violation; prohibiting the possession, import into the state, selling, buying, giving away, or acceptance of any dog or cat with the sole intent of killing such dog or cat, or having such dog or cat killed, for the purpose of selling or giving away the pelt of such animal; providing a third degree felony penalty for violation; providing that it is unlawful to engage in the business of a dealer or buyer in the pelts of any dog or cat or to purchase such pelts or furs; prohibiting common carriers from knowingly shipping, transporting, or receiving such pelts; providing penalties; creating s. 828.1231, F.S.; providing that it is unlawful to sell any item of clothing made in whole or in part from dog or cat fur; providing that it is unlawful to sell any dog or cat pelt; providing penalties; providing an effective date.

By the Committee on Real Property & Probate; Representative Henriquez—

CS/HB 587—A bill to be entitled An act relating to platted lands; amending s. 177.041, F.S.; revising language with respect to certain boundaries for a replat; removing a requirement that the boundary survey and plat be prepared by a professional surveyor and mapper under the same legal entity; amending s. 177.091, F.S.; revising language with respect to certain monuments; providing an effective date.

By the Committee on Education/K-12; Representative Gottlieb—

CS/HB 683—A bill to be entitled An act relating to truancy; amending s. 232.17, F.S.; providing legislative findings; placing responsibility on school district superintendents for enforcing attendance; establishing requirements for school board policies; revising the current steps for enforcing regular school attendance; requiring public schools to follow the steps; establishing the requirements for school principals, primary teachers, child study teams, and parents; providing for parents to appeal; allowing the superintendent to seek criminal prosecution for parental noncompliance; requiring the superintendent to file certain petitions involving ungovernable children in certain circumstances; requiring the superintendent to provide the court with certain evidence; allowing for court enforcement for children who refuse to comply; revising the notice requirements to parents, guardians, or others; eliminating a current condition for notice; eliminating the option for referral to case staffing committees; requiring the superintendent to take steps to bring about criminal prosecution and requiring related

notice; authorizing superintendents to file truancy petitions; allowing for the return of absent children to additional locations; requiring parental notification; deleting certain provisions relating to escalating series of truancy activities; amending s. 232.19, F.S., relating to habitual truancy; authorizing superintendents to file truancy petitions; requiring that a court order for school attendance be obtained as a part of services; revising the requirements that must be met prior to filing a petition; amending s. 236.081, F.S.; amending procedures that must be followed in determining the annual allocation to each school district for operation; requiring the average daily attendance of the student membership to be calculated by school and by district; requiring the district's FTE membership to be adjusted by multiplying by the average daily attendance factor; amending s. 984.03, F.S.; redefining the term "habitual truant"; requiring the state attorney or appropriate jurisdictional agency to file a child-in-need-of-services petition in certain circumstances; eliminating the requirement for referral for evaluation; providing definitions for "truancy court" and "truancy petition"; creating s. 984.151, F.S.; providing procedure for truancy petitions; providing for truancy hearings and penalties; providing an effective date.

By the Committee on Governmental Operations; Representatives Turnbull and Boyd—

CS/HB 895—A bill to be entitled An act relating to state employees; providing legislative intent; directing the Department of Management Services, in cooperation with legislative staff and the Office of Program Policy Analysis and Government Accountability, to study certain types of benefit plans and related compensation options that could be made available to part-time, temporary, and seasonal state employees; providing requirements with respect thereto; requiring a report; providing an effective date.

By the Committee on Insurance; Representatives Albright and Boyd—

CS/HB 903—A bill to be entitled An act relating to the Employee Health Care Access Act; amending s. 627.6699, F.S.; revising and updating provisions requiring small employer carriers to offer and issue certain health benefit plans; providing additional restrictions on premium rates for certain health benefit plans; providing an effective date.

By the Committee on Elder Affairs & Long-Term Care; Representatives Jacobs and Levine—

CS/HB 1709—A bill to be entitled An act relating to the long-term care community diversion pilot projects; amending s. 430.703, F.S.; defining "other qualified provider"; amending s. 430.707, F.S.; authorizing the Department of Elderly Affairs to contract with other qualified providers to provide long-term care within the pilot projects; providing an effective date.

By the Committee on Elder Affairs & Long-Term Care; Representative Reddick—

CS/HB 1777—A bill to be entitled An act relating to mental health; directing the Department of Children and Family Services to develop cooperative agreements with local agencies for diverting from the criminal justice system to the civil mental health system certain persons with mental illness arrested for a misdemeanor; directing the Louis de la Parte Florida Mental Health Institute at the University of South Florida to report to the Legislature on cost-effective diversion strategies; directing the Department of Law Enforcement and the Department of Children and Family Services to jointly review training curricula for law enforcement officers and to recommend improvements to the Legislature; directing the Department of Children and Family Services to contract with the Louis de la Parte Florida Mental Health Institute to review court jurisdiction over persons with mental illness who are arrested for or convicted of a misdemeanor and to recommend policy changes to the Legislature; directing the district forensic coordinators in the Department of Children and Family Services to assess the provision of in-jail mental health services and report to the Legislature; directing the Department of Children and Family Services to prepare a single

report by a specified date; directing the Louis de la Parte Florida Mental Health Institute to evaluate the specialized mental health court in Broward County and report findings and recommendations to the Legislature; providing an appropriation; providing an effective date.

By the Committee on Water & Resource Management; Representative Bradley—

CS/HB 1829—A bill to be entitled An act relating to red tide research and mitigation; establishing a Harmful-Algal-Bloom Task Force; providing for task force membership and duties; requiring the Florida Marine Research Institute to implement a program; providing legislative intent; providing program goals; providing an appropriation; providing an effective date.

By the Committee on Governmental Operations; Representative Feeney—

CS/HB 1831—A bill to be entitled An act relating to statewide drug control; providing definitions; providing legislative intent and findings with respect to the need to address the problem of substance abuse in this state and the development of a state drug-control strategy; creating the Office of Drug Control within the Executive Office of the Governor; providing for the office to be headed by a director appointed by the Governor, subject to Senate confirmation; providing purpose and duties of the Office of Drug Control; requiring the director of the Office of Drug Control to report annually to the Governor and Legislature; creating the Statewide Drug Policy Advisory Council within the Executive Office of the Governor; providing for membership of the advisory council; providing for terms of office; providing for payment of per diem and travel expenses; providing duties of the advisory council; requiring that the advisory council make recommendations to the Governor and Legislature for developing and implementing a state drug-control strategy; requiring that the advisory council make recommendations for funding programs and services; providing other duties of the advisory council; authorizing the chairperson of the advisory council to appoint workgroups; requiring an annual report; amending s. 397.821, F.S., relating to juvenile substance abuse impairment prevention and early intervention councils; conforming provisions to changes made by the act; repealing ss. 397.801(1), 397.811(2), F.S., relating to the Statewide Coordinator for Substance Abuse Impairment Prevention and Treatment; providing an appropriation; providing an effective date.

By the Committee on Governmental Rules & Regulations; Representative Ryan—

CS/HB 1917—A bill to be entitled An act relating to teacher training centers; creating s. 231.6015, F.S., relating to teacher training centers; providing legislative intent; defining terms; establishing procedures for center approval; providing for funding; requiring each teacher training center to be operated by a board of directors; providing membership requirements and duties; requiring the adoption of rules; requiring an annual report; providing an effective date.

By the Committee on Health Care Services; Representatives Eggelletion, Lacasa, Levine, Kyle, Garcia, Villalobos, Merchant, Greenstein, and Betancourt—

CS/HBs 1927 & 961—A bill to be entitled An act relating to managed health care; amending s. 408.05, F.S.; requiring the State Center for Health Statistics to publish health maintenance organization report cards; amending s. 408.7056, F.S.; excluding certain additional grievances from consideration by a statewide provider and subscriber assistance panel; revising panel membership; amending s. 641.31, F.S.; providing for a point-of-service benefit rider on a health maintenance contract; providing requirements; providing restrictions; authorizing reasonable copayment and annual deductible; providing exceptions relating to subscriber liability for services received; amending s. 641.3155, F.S.; providing a process for retroactive reduction of payments of provider claims under certain circumstances; amending s. 641.51, F.S.; requiring that health maintenance organizations provide additional information to the Agency for Health Care Administration indicating quality of care; removing a requirement that organizations

conduct customer satisfaction surveys; revising requirements for preventive pediatric health care provided by health maintenance organizations; amending s. 641.58, F.S.; providing for moneys in the Health Care Trust Fund to be used for additional purposes; directing the director of the Agency for Health Care Administration to establish an advisory group on the submission and payment of health claims; providing membership and duties; requiring a report; providing an appropriation; providing effective dates.

By the Committee on Judiciary; Representatives Brummer and Byrd—

CS/HB 2013—A bill to be entitled An act relating to judicial nominating commissions; creating s. 43.291, F.S.; providing for the appointment of members to each judicial nominating commission; prohibiting judges from serving; restricting the appointment of members and former members to judicial offices for a certain time period; providing for terms; prohibiting reappointment with certain exceptions; abolishing prior offices; providing for suspension or removal; requiring consideration of race, gender, and geographical diversity of membership; requiring consideration of county representation on circuit judicial nominating commissions; requiring concurrence of a majority for commission actions; providing an appropriation; repealing s. 43.29, F.S., relating to judicial nominating commissions; providing an effective date.

By the Committees on Water & Resource Management; Environmental Protection; Representatives Dockery, Constantine, Alexander, Putnam, Pruitt, Sembler, Logan, Hart, Eggelletion, Minton, Greenstein, Kyle, Tullis, Murman, and Prieguez—

CS/HB 2021—A bill to be entitled An act relating to state land acquisition and management; amending s. 201.15, F.S.; revising distribution of certain documentary stamp tax revenues; amending ss. 161.05301 and 161.091, F.S.; correcting cross references; creating s. 201.155, F.S.; providing for annual appropriation to pay debt service; creating s. 215.618, F.S.; providing for the issuance of Stewardship Florida bonds; providing limitations; providing procedures and legislative intent; amending s. 216.331, F.S.; correcting a cross reference; amending s. 253.027, F.S.; providing for the reservation of funds; revising the criteria for expenditures for archaeological property to include lands on the acquisition list for the Stewardship Florida program; amending s. 253.034, F.S.; providing for the use of state-owned lands; providing for the sale of surplus state lands; amending s. 259.02, F.S.; providing bonding authority for the Stewardship Florida program; creating s. 259.021, F.S.; subjecting bond issuance to constitutional authorization; providing requirements and limitations; amending s. 259.03, F.S.; deleting obsolete definitions; providing new definitions; amending s. 259.032, F.S.; providing legislative intent; specifying certain uses of funds from the Conservation and Recreation Lands Trust Fund; revising provisions relating to individual land management plans; revising eligibility for payment in lieu of taxes; deleting obsolete language; revising timeframe for removal of certain projects from a priority list; creating s. 259.034, F.S.; creating the Acquisition and Restoration Commission; specifying membership and duties; providing for compensation; authorizing adoption of rules; providing for per diem and travel expenses; amending s. 259.035, F.S.; correcting a cross reference; amending s. 259.036, F.S.; providing conforming language; amending s. 259.04, F.S.; conforming language and cross references; amending s. 259.041, F.S.; providing procedures and guidelines for land acquisition; providing legislative intent and guidelines for use of less than fee land acquisition alternatives; amending s. 259.101, F.S.; providing for redistribution for certain unencumbered P2000 funds; conforming language and cross references; creating s. 259.105, F.S.; creating the Stewardship Florida Act; providing legislative findings and intent; providing for issuing bonds; providing for distribution and use of bond proceeds; providing project goals and selection criteria; providing application and selection procedures; authorizing certain uses of acquired lands; authorizing adoption of rules, subject to legislative review; amending s. 260.0125, F.S.; correcting cross references; creating s. 260.0142, F.S.; creating the Florida Greenways and Trails Council within the Department of Environmental Protection; providing for

membership, powers, and duties; amending s. 260.016, F.S.; revising powers of the Department of Environmental Protection with respect to greenways and trails; deleting reference to the Florida Recreational Trails Council; amending s. 260.018, F.S.; correcting cross references; amending s. 288.1224, F.S.; providing conforming language; amending s. 369.252, F.S.; providing for the use of certain funds from the Aquatic Plant Control Trust Fund; amending s. 369.307, F.S.; providing conforming language; amending s. 373.089, F.S.; providing procedure for the surplus of water management district lands; amending s. 373.139, F.S.; revising authority and requirements for acquisition and disposition of lands by the water management districts; requiring a 5-year plan of acquisition and management activities; providing procedures and requirements for purchase and funding; requiring an annual report; providing district rulemaking authority, subject to legislative review; creating s. 373.199, F.S.; providing duties of the water management districts in assisting the Acquisition and Restoration Commission; requiring development of recommended project lists; specifying required information; amending s. 373.59, F.S.; revising authorized uses of funds from the Water Management Lands Trust Fund; providing district rulemaking authority, subject to legislative review; revising eligibility criteria for payment in lieu of taxes; amending s. 375.075, F.S.; revising funding and procedures for the Florida Recreation Development Assistance Program; amending ss. 380.0666 and 380.22, F.S.; providing conforming language; amending s. 380.503, F.S.; providing definitions; amending s. 380.504, F.S.; revising the composition of the Florida Communities Trust; amending s. 380.505, F.S.; revising quorum requirements; amending s. 380.507, F.S.; providing for titling of certain acquired property to a local government; revising rulemaking authority; amending s. 380.510, F.S.; requiring covenants and restrictions for certain property, necessary to comply with constitutional requirements; amending ss. 420.5092 and 420.9073, F.S.; correcting cross references; repealing s. 253.787, F.S., relating to the Florida Greenways Coordinating Council; repealing s. 259.035, F.S., relating to the Land Acquisition and Management Advisory Council; repealing s. 259.07, F.S., relating to public meetings of the council; creating the Stewardship Florida Study Commission; providing membership and duties; providing an appropriation; providing effective dates.

Ceremonial Resolutions

Adoption by Publication

At the request of Rep. Byrd—

HR 9087—A resolution in recognition of Anne Nymark.

WHEREAS, Anne Nymark was born in Andalusia, Alabama, the youngest of seven children, on March 4, 1949, and

WHEREAS, in 1966 Anne Nymark was named “Miss Pasco County” and represented Pasco County throughout the State of Florida, and

WHEREAS, in 1967 Anne Nymark moved to Tampa where she attended the University of South Florida, and

WHEREAS, in 1981 Anne Nymark started her own business, and today she is the owner and president of Professional Accounting & Consulting Services, Inc., and

WHEREAS, Anne Nymark’s years of service to the citizens of the Hillsborough County area are evidenced by the numerous community service and community involvement efforts in which she has participated, and

WHEREAS, Anne Nymark has served as chairman of the board of the Greater Brandon Chamber of Commerce, as vice president of the Hillsborough Rural Community Development Board, as a member of the Hillsborough County Citizens Advisory Council, as a board member of the Florida Restaurant Association, as 1993 chairman of the YMCA Major Funds Campaign, as vice president of Center Place for 1992-1993, as a member of the Brandon High School Advisory Board in 1990, 1991, and 1993, as president of the Greater Brandon Kiwanis Club in 1992 and as vice president in 1990 and 1991, as a member of the Missing

Children Help Center Advisory Board from 1988-1990, as board member and fundraising chairman of the Brandon Outreach Clinic, as board member of the American Cancer Society in 1990, and as a board member of the Greater Brandon Kiwanis Club from 1989-1993, and

WHEREAS, Anne Nymark has also received the "West Coast Woman of the Year Award" for 1995-1996, was a finalist for "West Coast Woman of the Year" in 1990, and was runner-up for Business Leader of the Year in 1990, and

WHEREAS, it is fitting and appropriate that the Florida House of Representatives recognize Anne Nymark for her continued community service and involvement, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives of the State of Florida hereby recognizes Anne Nymark for her continued community involvement and her years of service to the citizens of the Hillsborough County area.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Anne Nymark as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 115.

At the request of Rep. Byrd—

HR 9159—A resolution recognizing the week of April 18-24, 1999, as National Organ and Tissue Donor Awareness Week.

WHEREAS, the success of National Organ and Tissue Donor Awareness Week depends largely on the commitment made by the leadership of this state to ensure that every Florida citizen becomes aware of and has an opportunity to alleviate the critical need for organ and tissue donations, and

WHEREAS, through statutory mandates, the State of Florida Organ and Tissue Donor Education Program, the Organ and Tissue Procurement and Transplantation Advisory Board, the Transplant Advisory Council, and the Bone Marrow Transplant Advisory Panel were created to help increase donations of these precious gifts of life, and

WHEREAS, in conjunction with the Florida Coalition on Donation, the Minority Organ Tissue Transplant Education Program, the Transplant Recipients International Organization, the Marrow Donor Program, and the National Kidney Foundation, community-based efforts are continuously being made to educate and encourage contributions of these "gifts that keep on giving," and

WHEREAS, much of the success behind Florida's leading the nation in transplantation is through its partnerships with hospitals and organ, tissue, and eye procurement organizations, and

WHEREAS, through the support and cooperation of a concerned populace, the list of more than 60,000 individuals nationally who are awaiting a life-saving or life-enhancing transplant can be sharply reduced or eliminated entirely, and

WHEREAS, the generosity of Floridians alone is sufficient to reduce the waiting list of over 1,200 individuals in this state who are in need of a transplant, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives pauses in its deliberations to recognize the week of April 18-24, 1999, as National Organ and Tissue Donor Awareness Week and to encourage all citizens to register as organ and tissue donors.

—was read and adopted by publication pursuant to Rule 115.

Reports of Councils and Standing Committees

Council Reports

The Honorable Joe Arnall, Chair April 12, 1999
Committee on Rules & Calendar

Dear Sir:

The Fiscal Responsibility Council respectfully submits the following report of Council actions adopted on April 12, 1999.

Pursuant to Rule 59(h), the Council approved consideration of the following proposed committee draft(s):

DFT HHS 99-08, general subject matter, developmental services

DFT GG 99-08, general subject matter, Environmental Law Enforcement Trust Fund

A quorum of the Council was present and a majority of those present agreed to the above report.

Sincerely,
Kenneth P. "Ken" Pruitt
Chair

The Honorable Joseph Arnall, Chair April 12, 1999
Committee on Rules & Calendar

Dear Sir:

The Health & Family Services Council respectfully submits the following report of Council actions adopted on April 12, 1999.

Pursuant to Rule 59(a), the Council reports the following ranking of available bills:

1. HB 489—Body-piercing Salons
2. HB 463—Pharmacy Practice
3. CS/HB 287—Pharmacy Patient Privacy Act of 1999

A quorum of the Council was present and a majority of those present agreed to the above report.

Sincerely,
Durell Peaden, Jr., M.D., J.D.
Chair

Committee Reports

Received April 9:

The Committee on Judiciary recommends a committee substitute for the following:
HB 2013

The above committee substitute was placed on the appropriate Calendar, subject to review under Rule 113(b), and, under the rule, HB 2013 was laid on the table.

The Committee on Real Property & Probate recommends a committee substitute for the following:
HB 587 (unanimous)

The above committee substitute was placed on the appropriate Calendar, subject to review under Rule 113(b), and, under the rule, HB 587 was laid on the table.

The Committee on Water & Resource Management recommends the following pass:
CS/HB 1143, with 1 amendment (unanimous)
HB 1957, with 1 amendment (unanimous)

The above bills were referred to the Committee on General Government Appropriations.

The Committee on Health Care Licensing & Regulation recommends the following pass:

HB 705, with 4 amendments (unanimous)

The above bill was referred to the Committee on Health & Human Services Appropriations.

The Committee on Crime & Punishment recommends a committee substitute for the following:

HB 379 (unanimous)

The above committee substitute was referred to the Committee on Criminal Justice Appropriations, subject to review under Rule 113(b), and, under the rule, HB 379 was laid on the table.

The Committee on Elder Affairs & Long-Term Care recommends committee substitutes for the following:

HB 1709

HB 1777 (unanimous)

The above committee substitutes were referred to the Committee on Health & Human Services Appropriations, subject to review under Rule 113(b), and, under the rule, HBs 1709 and 1777 were laid on the table.

The Committee on Health Care Services recommends a committee substitute for the following:

HBs 1927 & 961 (unanimous)

The above committee substitute was referred to the Committee on Health & Human Services Appropriations, subject to review under Rule 113(b), and, under the rule, HBs 1927 and 961 were laid on the table.

The Committee on Utilities & Communications recommends the following pass:

HB 1655, with 1 amendment (unanimous)

The above bill was referred to the Committee on Business Regulation & Consumer Affairs.

The Committee on Health Care Licensing & Regulation recommends the following pass:

HB 437, with 1 amendment (unanimous)

The above bill was referred to the Committee on Community Affairs.

The Committee on Water & Resource Management recommends the following pass:

HB 1133 (unanimous)

The above bill was referred to the Committee on Community Affairs.

The Committee on Election Reform recommends the following pass:
HB 1965, with 1 amendment (unanimous)

The above bill was referred to the Committee on Crime & Punishment.

The Committee on Health Care Licensing & Regulation recommends the following pass:

HB 1517, with 1 amendment (unanimous)

The above bill was referred to the Committee on Elder Affairs & Long-Term Care.

The Committee on Insurance recommends the following pass:
HB 897, with 1 amendment (unanimous)

The above bill was referred to the Committee on Financial Services.

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

HBs 63 & 623

The above committee substitute was referred to the Committee on Judiciary, subject to review under Rule 113(b), and, under the rule, HBs 63 and 623 were laid on the table.

Received April 12:

The Committee on Community Affairs recommends the following pass:

HM 531, with 2 amendments (unanimous)

HB 931 (unanimous)

HB 971, with 1 amendment (unanimous)

HB 1001, with 1 amendment (unanimous)

HB 1571 (unanimous)

HB 1687 (unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Criminal Justice Appropriations recommends the following pass:

CS/HB 121 (fiscal note attached, unanimous)

CS/HB 327 (fiscal note attached, unanimous)

HB 391 (fiscal note attached, unanimous)

HB 1439 (fiscal note attached, unanimous)

HB 1877, with 1 amendment (fiscal note attached, unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Finance & Taxation recommends the following pass:

HM 1483 (fiscal note attached, unanimous)

The above bill was placed on the appropriate Calendar.

The Committee on General Government Appropriations recommends the following pass:

CS/CS/HB 77 (fiscal note attached, unanimous)

HB 169 (fiscal note attached, unanimous)

HB 289 (fiscal note attached, unanimous)

HB 325 (fiscal note attached, unanimous)

HB 329, with 2 amendments (fiscal note attached, unanimous)

CS/HB 377 (fiscal note attached, unanimous)

CS/HB 383 (fiscal note attached, unanimous)

HB 467 (fiscal note attached, unanimous)

CS/HB 661 (fiscal note attached, unanimous)

HB 779 (fiscal note attached, unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Governmental Operations recommends the following pass:

HB 405, with 1 amendment (unanimous)

HB 1843, with 1 amendment (unanimous)

HB 1847 (unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Health & Human Services Appropriations recommends the following pass:

CS/HB 33, with 1 amendment (fiscal note attached, unanimous)

CS/HB 303 (fiscal note attached, unanimous)

CS/HB 305 (fiscal note attached, unanimous)

HB 463 (fiscal note attached)

HB 489 (fiscal note attached, unanimous)

HB 911, with 1 amendment (fiscal note attached, unanimous)

HB 953 (fiscal note attached, unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Transportation & Economic Development Appropriations recommends the following pass:

CS/HB 75, with 1 amendment (fiscal note attached, unanimous)

HB 283 (fiscal note attached, unanimous)

CS/HB 311 & CS/HB 243, with 1 amendment (fiscal note attached, unanimous)

HB 411, with 1 amendment (fiscal note attached, unanimous)

CS/HB 519, with 1 amendment (fiscal note attached, unanimous)

HB 573 (fiscal note attached, unanimous)

HB 579, with 1 amendment (fiscal note attached, unanimous)

HB 589 (fiscal note attached, unanimous)
 HB 635 (fiscal note attached, unanimous)
 HB 723 (fiscal note attached, unanimous)
 HB 1643 (fiscal note attached, unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Governmental Operations recommends the following pass:

CS/HB 331 (unanimous)
 HB 1995, with 1 amendment (unanimous)

The above bills were referred to the Committee on Criminal Justice Appropriations.

The Committee on Governmental Rules & Regulations recommends the following pass:

HB 873 (unanimous)
 HB 1981, with 1 amendment (unanimous)

The above bills were referred to the Committee on Education Appropriations.

The Committee on Finance & Taxation recommends the following pass:

HB 317, with 1 amendment (fiscal note attached, unanimous)
 HB 1737 (fiscal note attached, unanimous)

The above bills were referred to the Committee on General Appropriations.

The Committee on Governmental Operations recommends the following pass:

HB 1415 (unanimous)

The above bill was referred to the Committee on General Appropriations.

The Committee on Governmental Operations recommends the following pass:

HB 149, with 2 amendments (unanimous)
 HB 511 (unanimous)
 HB 513
 HB 1461
 HB 1799, with 1 amendment (unanimous)

The above bills were referred to the Committee on General Government Appropriations.

The Committee on Governmental Rules & Regulations recommends the following pass:

HB 1977, with 1 amendment (unanimous)

The above bill was referred to the Committee on General Government Appropriations.

The Committee on Insurance recommends the following pass:
 HB 1907, with 1 amendment (unanimous)
 HB 1923, with 2 amendments

The above bills were referred to the Committee on General Government Appropriations.

The Committee on Water & Resource Management recommends the following pass:

HB 1685, with 5 amendments (unanimous)

The above bill was referred to the Committee on General Government Appropriations.

The Committee on Finance & Taxation recommends the following pass:

HB 869, with 2 amendments (fiscal note attached, unanimous)

The above bill was referred to the Committee on Health & Human Services Appropriations.

The Committee on Governmental Operations recommends the following pass:

HB 845 (unanimous)
 HB 2001 (unanimous)

The above bills were referred to the Committee on Health & Human Services Appropriations.

The Committee on Governmental Rules & Regulations recommends the following pass:

HB 741, with 2 amendments (unanimous)
 CS/HB 1431, with 1 amendment (unanimous)

The above bills were referred to the Committee on Health & Human Services Appropriations.

The Committee on Business Development & International Trade recommends the following pass:

HB 993, with 1 amendment (unanimous)

The above bill was referred to the Committee on Transportation & Economic Development Appropriations.

The Committee on Community Affairs recommends the following pass:

HB 919, with 1 amendment

The above bill was referred to the Committee on Transportation & Economic Development Appropriations.

The Committee on Finance & Taxation recommends the following pass:

HB 689, with 2 amendments (fiscal note attached)
 HB 1075, with 1 amendment (fiscal note attached, unanimous)

The above bills were referred to the Committee on Transportation & Economic Development Appropriations.

The Committee on Water & Resource Management recommends the following pass:

HB 1887, with 2 amendments (unanimous)

The above bill was referred to the Committee on Transportation & Economic Development Appropriations.

The Committee on Education/K-12 recommends a committee substitute for the following:

HB 683 (unanimous)

The above committee substitute was referred to the Committee on Education Appropriations, subject to review under Rule 113(b), and, under the rule, HB 683 was laid on the table.

The Committee on Governmental Operations recommends a committee substitute for the following:

HB 895 (unanimous)

The above committee substitute was referred to the Committee on General Appropriations, subject to review under Rule 113(b), and, under the rule, HB 895 was laid on the table.

The Committee on Water & Resource Management recommends a committee substitute for the following:

HB 2021 (unanimous)

The above committee substitute was referred to the Committee on General Government Appropriations, subject to review under Rule 113(b), and, under the rule, HB 2021 was laid on the table.

The Committee on Environmental Protection recommends the following pass:

HB 2057 (unanimous)

The above bill was referred to the Committee on Community Affairs.

The Committee on Water & Resource Management recommends the following pass:

HB 979, with 4 amendments (unanimous)
HB 2023 (unanimous)

The above bills were referred to the Committee on Community Affairs.

The Committee on Community Affairs recommends the following pass:

HB 1817

The above bill was referred to the Committee on Crime & Punishment.

The Committee on Community Affairs recommends the following pass:

HB 659, with 2 amendments (unanimous)

The above bill was referred to the Committee on Education/K-12.

The Committee on Community Affairs recommends the following pass:

HB 1559, with 1 amendment (unanimous)
HB 1611, with 1 amendment (unanimous)

The above bills were referred to the Committee on Election Reform.

The Committee on Governmental Operations recommends the following pass:

HB 1017, with 3 amendments (unanimous)

The above bill was referred to the Committee on Election Reform.

The Committee on Business Development & International Trade recommends the following pass:

HB 951, with 1 amendment (unanimous)

The above bill was referred to the Committee on Finance & Taxation.

The Committee on Community Affairs recommends the following pass:

CS/HB 1063, with 1 amendment (unanimous)
HB 1419, with 1 amendment (unanimous)
HJR 1545 (unanimous)
HB 1579, with 1 amendment (unanimous)
HB 1597, with 1 amendment (unanimous)
HB 1613, with 3 amendments (unanimous)

The above bills were referred to the Committee on Finance & Taxation.

The Committee on Governmental Operations recommends the following pass:

HB 1115 (unanimous)
HB 1117 (unanimous)
HB 1427 (unanimous)

The above bills were referred to the Committee on Finance & Taxation.

The Committee on Business Development & International Trade recommends the following pass:

HB 1759, with 1 amendment (unanimous)

The above bill was referred to the Committee on Financial Services.

The Committee on Community Affairs recommends the following pass:

HB 1095 (unanimous)
HB 1097 (unanimous)

The above bills were referred to the Committee on Governmental Operations.

The Committee on Governmental Operations recommends the following pass:

HB 1479, with 1 amendment

The above bill was referred to the Committee on Governmental Rules & Regulations.

The Committee on Health Care Licensing & Regulation recommends the following pass:

HB 1993, with 4 amendments (unanimous)

The above bill was referred to the Committee on Governmental Rules & Regulations.

The Committee on Water & Resource Management recommends the following pass:

HB 697, with 2 amendments (unanimous)

The above bill was referred to the Committee on Governmental Rules & Regulations.

The Committee on Community Affairs recommends the following pass:

HB 1727, with 1 amendment (unanimous)

The above bill was referred to the Committee on Judiciary.

The Committee on Community Affairs recommends the following pass:

HB 1553, with 1 amendment (unanimous)
HB 1583 (unanimous)
HB 1591, with 1 amendment (unanimous)

The above bills were referred to the Committee on Water & Resource Management.

The Committee on Water & Resource Management recommends a committee substitute for the following:

HB 1829 (unanimous)

The above committee substitute was referred to the Committee on Governmental Operations, subject to review under Rule 113(b), and, under the rule, HB 1829 was laid on the table.

Received April 13:

The Committee on Education Appropriations recommends the following pass:

CS/HB 365 (fiscal note attached)
HB 393, with 1 amendment (fiscal note attached, unanimous)
HB 667 (fiscal note attached)
HB 1007, with 1 amendment (fiscal note attached, unanimous)
HB 1853, with 1 amendment (fiscal note attached, unanimous)
HB 1931, with 1 amendment (fiscal note attached)

The above bills were placed on the appropriate Calendar.

The Committee on Elder Affairs & Long-Term Care recommends the following pass:

CS/HB 475 (unanimous)

The above bill was placed on the appropriate Calendar.

The Committee on Health & Human Services Appropriations recommends the following pass:

CS/HB 213, with 1 amendment (fiscal note attached, unanimous)

The above bill was placed on the appropriate Calendar.

The Committee on Finance & Taxation recommends the following pass:

CS/HB 231, with 1 amendment (fiscal note attached, unanimous)
HB 621 (fiscal note attached)

CS/HB 889 (fiscal note attached, unanimous)
 HB 991, with 1 amendment (fiscal note attached, unanimous)
 HB 1023, with 1 amendment (fiscal note attached, unanimous)
 HB 1921 (fiscal note attached, unanimous)

The above bills were referred to the Committee on General Governmental Appropriations.

The Committee on Governmental Rules & Regulations recommends the following pass:
 HB 1983, with 8 amendments (unanimous)

The above bill was referred to the Committee on Health & Human Services Appropriations.

The Committee on Health Care Licensing & Regulation recommends the following pass:
 HB 1703, with 1 amendment

The above bill was referred to the Committee on Health & Human Services Appropriations.

The Committee on Health Care Services recommends the following pass:
 HB 1131 (unanimous)

The above bill was referred to the Committee on Health & Human Services Appropriations.

The Committee on Governmental Rules & Regulations recommends a committee substitute for the following:
 HB 1917 (unanimous)

The above committee substitute was referred to the Committee on Education Appropriations, subject to review under Rule 113(b), and, under the rule, HB 1917 was laid on the table.

The Committee on Insurance recommends a committee substitute for the following:
 HB 903

The above committee substitute was referred to the Committee on General Governmental Appropriations, subject to review under Rule 113(b), and, under the rule, HB 903 was laid on the table.

The Committee on Governmental Operations recommends a committee substitute for the following:
 HB 1831 (unanimous)

The above committee substitute was referred to the Committee on Transportation & Economic Development Appropriations, subject to review under Rule 113(b), and, under the rule, HB 1831 was laid on the table.

The Committee on Health Care Services recommends the following pass:
 HB 1731 (unanimous)

The above bill was referred to the Committee on Children & Families.

The Committee on Health Care Licensing & Regulation recommends the following pass:
 HB 1085, with 1 amendment

The above bill was referred to the Committee on Community Affairs.

The Committee on Health Care Services recommends the following pass:
 HB 959, with 1 amendment

The above bill was referred to the Committee on Governmental Operations.

The Committee on Health Care Licensing & Regulation recommends the following pass:

HB 1793, with 1 amendment (unanimous)

The above bill was referred to the Committee on Governmental Rules & Regulations.

The Committee on Health Care Services recommends the following pass:

HB 1443, with 1 amendment (unanimous)

The above bill was referred to the Committee on Insurance.

The Committee on Agriculture recommends the following not pass:
 HB 539
 HB 877

The above bills were laid on the table under the rule.

Enrolling Reports

HB 1951 has been enrolled, signed by the required constitutional officers, and presented to the Governor on April 12, 1999.

John B. Phelps, Clerk

CS/CS/HB 19; HB 67; and CS/HB 133 have been enrolled, signed by the required constitutional officers, and presented to the Governor on April 13, 1999.

John B. Phelps, Clerk

Excused

Reps. Dennis, Sanderson, K. Smith; Rep. Wilson until 10:39 a.m.

Conference Committee Managers Excused

The following Conference Committee Managers were excused from time to time: CS/SB 140; CS/SB 172; and CS/SB 318 (taxation): Rep. Albright (Chair), Rep. Brummer, Rep. Stansel, Rep. Waters, Rep. Wiles, Rep. Cantens (alternate), Rep. C. Green (alternate).

CS for CS/SB's 366 & 382 and SB 708 (school readiness): Rep. Warner (Chair), Rep. Lynn, Rep. Chestnut, Rep. Logan (alternate).

HB 775 (civil litigation reform): Rep. Feeney (Chair), Rep. Bitner, Rep. Byrd, Rep. Constantine, Rep. Minton, Rep. Bradley (alternate), Rep. Levine (alternate).

SBs 2500 and 2502 (appropriations): Rep. Pruitt (Chair), Rep. L. Miller (Vice Chair); At Large—Rep. Bloom, Rep. Bradley, Rep. Lacasa (Lead Member for SB 2502, implementing bill), Rep. Dockery, Rep. Feeney, Rep. Garcia, Rep. Jones, Rep. Logan, Rep. Bitner (alternate), Rep. Flanagan (alternate), Rep. Wasserman Schultz (alternate); Criminal Justice Appropriations—Rep. Villalobos (Chair), Rep. Crady, Rep. Ball, Rep. Cosgrove, Rep. Crist, Rep. Bush (alternate), Rep. Morroni (alternate); Education Appropriations—Rep. Wise (Chair), Rep. Chestnut, Rep. Constantine, Rep. Lynn, Rep. Turnbull, Rep. Alexander (alternate), Rep. Dennis (alternate); General Government Appropriations—Rep. Sembler (Chair), Rep. Minton, Rep. Byrd, Rep. Eggelletion, Rep. Gay, Rep. Roberts (alternate), Rep. Bense (alternate); Health & Human Services Appropriations—Rep. Sanderson (Chair), Rep. Hafner, Rep. Farkas, Rep. A. Greene, Rep. Maygarden, Rep. Casey (alternate), Rep. Hill (alternate); Transportation & Economic Development Appropriations—Rep. Fuller (Chair), Rep. Reddick, Rep. Crow, Rep. K. Smith, Rep. Valdes, Rep. Bronson (alternate), Rep. Harrington (alternate).

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 12:18 p.m., to reconvene at 9:50 a.m., Thursday, April 15.