



The Journal OF THE House of Representatives

Number 8

Thursday, April 6, 2000

The House was called to order by the Speaker at 8:50 a.m.

Prayer

The following prayer was offered by the Reverend Donald Moore, Pastor of St. Paul Lutheran Church of Apopka, upon invitation of Rep. Brummer:

Lord God of Hosts, you have made known your authority and delivered your orders for the care of all people in your holy laws. You have given the men and women in this place authority to exercise leadership and have commanded that those under their authority should obey them and pray for them. We pray that you will fill our Representatives and all government officials with a desire to fulfill the tasks given to them with understanding and concern for those who will carry out their directives. May all of our leaders serve you with pure, exemplary lives and thereby give those whom they lead an ideal to follow. Give them wisdom to discern what is just, with compassion and good character, so that all may be ready to follow their leadership with a willing spirit.

O Father of the just, out of your infinite goodness direct the hearts of all who will do your work in this place on this day. Help them with the power of your own Spirit to make laws in accordance with your will and for the advancement of righteousness. Protect them from the snares of evil and the deceptions of this world. Let no pride of power betray them into rejection of your authority and commands, and grant that these, your children, both those who work here today and those who are under their authority, may serve you together with one mind. We pray to you, our God and our King. Amen.

The following Members were recorded present:

Session Vote Sequence: 109

The Chair	Brummer	Fasano	Henriquez
Alexander	Bullard	Feeney	Heyman
Andrews	Bush	Fiorentino	Hill
Argenio	Byrd	Flanagan	Jacobs
Argenziano	Cantens	Frankel	Johnson
Arnall	Casey	Fuller	Jones
Bainter	Chestnut	Futch	Kelly
Barreiro	Constantine	Gay	Kilmer
Bense	Cosgrove	Goode	Kosmas
Betancourt	Crady	Goodlette	Kyle
Bilirakis	Crist	Gottlieb	Lacasa
Bitner	Crow	Green, C.	Lawson
Bloom	Detert	Greene, A.	Lee
Boyd	Diaz de la Portilla, R.	Greenstein	Levine
Bradley	Dockery	Hafner	Littlefield
Bronson	Edwards	Harrington	Logan
Brown	Farkas	Hart	Lynn

Maygarden	Pruitt	Sembler	Tullis
Melvin	Putnam	Smith, C.	Turnbull
Miller, J.	Rayson	Smith, K.	Villalobos
Miller, L.	Reddick	Sobel	Wallace
Minton	Ritchie	Sorensen	Wasserman Schultz
Morrone	Ritter	Spratt	Waters
Murman	Roberts	Stafford	Wiles
Ogles	Rojas	Stansel	Wilson
Patterson	Rubio	Starks	Wise
Peaden	Russell	Suarez	
Posey	Ryan	Sublette	
Prieguez	Sanderson	Trovillion	

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

A quorum was present.

Pledge

The Members, led by Kirkland W. Adams of Orange Park, Matthew Bennight of Crawfordville, Blake O'Neill Bettis of Punta Gorda, Meghan Cleaver of Tallahassee, Jaslynn J. Fanniel of Tallahassee, Andrew Futch of Bentonville, Arkansas, Edwin Lee Guilbeau of Melbourne Beach, Michael R. Lang of Hudson, Deldra Owens of Miami, Deanna Paul of Miami Beach, Vincent Michael Powell of Miramar, Shakeila Robinson of Miami, Patrick Sallet of Plantation, Krystal Sauls of Tallahassee, Kelly Touchton of Tallahassee, Sarah A. Wallace of Oviedo, and Justin Renwald of Lakeland, pledged allegiance to the Flag. Kirkland W. Adams served at the invitation of the Speaker. Blake O'Neill Bettis served at the invitation of Rep. Merchant. Meghan Cleaver served at the invitation of Rep. Kelly. Jaslynn J. Fanniel served at the invitation of Rep. Logan. Andrew Futch served at the invitation of Rep. Futch. Edwin Lee Guilbeau served at the invitation of Rep. Goode. Michael R. Lang served at the invitation of Rep. Fasano. Deldra Owens served at the invitation of Rep. Wilson. Deanna Paul served at the invitation of Rep. Bloom. Vincent Michael Powell served at the invitation of Rep. Bush. Shakeila Robinson served at the invitation of Rep. Heyman. Patrick Sallet served at the invitation of Rep. Sorensen. Krystal Sauls served at the invitation of Rep. Boyd. Sarah A. Wallace served at the invitation of Rep. Starks. Justin Renwald served at the invitation of Rep. Dockery.

House Physicians

The Speaker presented the Honorable Robert K. "Bob" Casey, M.D., and the Honorable Durell Peaden, Jr., M.D., who served as Doctors of the Day.

Correction of the *Journal*

The *Journal* of April 4 was corrected and approved as follows: On page 426, column 1, line 19 from the bottom, in the votes after roll call for HB 2159, delete "Yeas to Nays—Turnbull" and insert in lieu thereof: Nays—Turnbull

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 106; SB 184; CS for SB 2304; and SB 2316 and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Banking and Insurance and Senator Mitchell—

CS for SB 106—A bill to be entitled An act relating to insurance; amending s. 624.426, F.S.; providing an exemption to the countersignature law for specified insurance policies; providing an effective date.

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

By Senator Lee—

SB 184—A bill to be entitled An act relating to the offense of possessing a concealed handcuff key; creating s. 843.021, F.S.; providing definitions; providing that it is a third-degree felony for a person placed in custody to possess a concealed handcuff key; providing that disclosure of such possession to a law enforcement officer is a defense to the charge of unlawfully possessing a concealed handcuff key; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; including the offense of possessing a concealed handcuff key on the offense severity ranking chart; providing an effective date.

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

By the Committee on Banking and Insurance and Senator Holzendorf—

CS for SB 2304—A bill to be entitled An act relating to reinsurance; amending s. 215.555, F.S.; revising the definition of the term "covered policy" for purposes of coverage by the Florida Hurricane Catastrophe Fund; revising the method of determining reimbursement to insurers by the Fund; amending s. 624.610, F.S.; setting the conditions for the allowance of credit for reinsurance; providing definitions; providing for grounds for denial or revocation of an assuming insurer's accreditation; providing criteria for the disallowance of credit for reinsurance for a ceding insurer; providing for the payment of costs and expenses; providing conditions for the allowance or disallowance of credit for reinsurance for assuming insurers maintaining trust funds in qualified United States financial institutions; providing intent that there is no conflict with arbitration agreements; providing for security; providing for the inclusion of certain health maintenance organizations within the term "ceding insurer"; providing conditions for the disallowance of credit with respect to a ceding domestic insurer; providing conditions for credit for reinsurance in cases of insolvency; providing for rights against a reinsurer; providing prohibitions applying to authorized insurers, other than certain surplus lines insurance; providing procedures and information required for a summary statement of each treaty; providing for exemptions from requirement of summary statements; providing for waiver; providing for cancellation; providing that there is no credit when there is no transfer of risk; granting authority to the Department of Insurance for rulemaking; requiring compliance with certain standards; requiring termination of approval of certain reinsurers under certain circumstances; providing an effective date for the application of cessions; providing an effective date.

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

By Senator Thomas and others—

SB 2316—A bill to be entitled An act relating to facility designations; naming the football field at Florida State University in honor of Coach Bobby Bowden; providing a contingent 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 passed HB 2145, with an amendment, and requests the concurrence of the House.

Faye W. Blanton, Secretary

HB 2145—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2000, and ending June 30, 2001, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

(Senate Amendment 1 attached to original bill.)

Under Rule 37(a)(5)a., Senate Amendment 1 was not printed in the *Journal*.

On motion by Rep. Pruitt, the House refused to concur in Senate Amendment 1 and requested the Senate to recede therefrom. The action, together with the bill and amendment thereto, was immediately certified to the Senate.

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 2147, with an amendment, and requests the concurrence of the House.

Faye W. Blanton, Secretary

HB 2147—A bill to be entitled An act implementing the 2000-2001 General Appropriations Act; providing legislative intent; providing for allocation of moneys provided for workforce development and providing for budget amendment when a program is moved; making certain findings regarding funds for the San Carlos Institute; amending s. 240.384, F.S.; requiring an audit and the transfer of certain funds relating to certain transferred criminal justice training programs; amending s. 240.2605, F.S.; requiring the Board of Regents to rank certain donations; requiring presidents of universities in the State University System to provide lists of certain donations; amending s. 11.13, F.S.; limiting compensation paid by a Florida governmental entity to a legislator during any legislative session; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 2000-2001 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; creating s. 409.9119, F.S.; creating a disproportionate share program for children's hospitals; providing formulas governing payments made to hospitals under the program; providing for withholding payments from a hospital that is not complying with agency rules; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; authorizing the Departments of Children and Family Services, Revenue, Management Services, and Health and the Agency for Health Care Administration to transfer positions and funds to comply with the 2000-2001 General Appropriations Act or the WAGES Act; amending s. 402.3015, F.S.; providing eligibility guidelines for subsidized child care; amending s. 39.3065, F.S.; providing for the Broward County Sheriff to provide child protective investigative services; requiring Healthy

Families Florida service providers to furnish participants with certain disclaimers and documentation; prohibiting disclosure of certain records by such providers; providing for disposal of records after a specified period; amending s. 409.912, F.S.; extending additional responsibilities of the Agency for Health Care Administration in fostering cost-effective purchasing of health care; amending s. 287.084, F.S.; allowing consideration of certain vendors in a request for proposals relating to telemedicine by the Glades School District; authorizing the Department of Law Enforcement to use certain moneys to provide meritorious-performance bonuses for employees, subject to approval; authorizing the Correctional Privatization Commission to make certain expenditures to defray costs incurred by a municipality or county as a result of opening a facility of the commission or the department; authorizing the Department of Legal Affairs to transfer certain funds between trust funds; providing for reimbursement for purchase of retirement credit by employees of the public defender; restricting releases of juvenile justice prevention funds; amending s. 216.181, F.S.; authorizing the Department of Transportation to transfer salary rate to the turnpike budget entity to facilitate transferring personnel to the turnpike headquarters facility in Orange County; amending s. 252.373, F.S.; providing for use of funds of the Emergency Management, Preparedness, and Assistance Trust Fund to improve, and increase the number of, disaster shelters in the state and improve local disaster preparedness; restricting release of economic development tools funds and requiring reversion at end of fiscal year; amending s. 212.20, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; amending s. 403.7095, F.S., relating to the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; providing for allocation of funds for innovative programs to address recycling practices and procedures; amending s. 373.59, F.S.; requiring release of certain moneys by the Secretary of Environmental Protection to water management districts, upon request; authorizing the Department of Agriculture and Consumer Services to use certain funds for expenses associated with its administrative and regulatory powers and duties; requiring transfer of certain property by the Department of Business and Professional Regulation to the University of Florida; providing for future repeal of various provisions; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing performance measures and standards for individual programs within state agencies; providing that the performance measures and standards are directly linked to the appropriations made in the 2000-2001 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing an effective date.

(Senate Amendment 1 attached to original bill.)

Under Rule 37(a)(5)a., Senate Amendment 1 was not printed in the *Journal*.

On motion by Rep. Pruitt, the House refused to concur in Senate Amendment 1 and requested the Senate to recede therefrom. The action, together with the bill and amendment thereto, was immediately certified to the Senate.

Reports of Councils and Standing Committees

On motion by Rep. Arnall, the rules were suspended and HRs 9039, 9071, 9087, and 9089 were allowed for introduction and consideration and placed on the Ceremonial Resolutions Calendar.

Special Orders

The Honorable John Thrasher
Speaker, House of Representatives

April 4, 2000

Dear Mr. Speaker:

In accordance with the vote of the House, the following report is the Special Order for Thursday, April 6, 2000. Consideration of the House bills on Special Order shall include the Senate companion measures on the House Calendar.

- I. Local Bill Calendar for Thursday, April 6, 2000:
 - CS/HB 563—Monroe Co./Paradise Islands Village
 - CS/HB 565—Monroe Co./Lower Keys Village
 - HB 791—Iona-McGregor Fire Protection
 - HB 793—North Ft. Myers Fire Control Dist.
 - HB 795—Palm Harbor Fire Control District
 - HB 815—Osceola County Sheriff's Office
 - HB 835—Jacksonville/Council Vacancies
 - HB 841—Cedar Hammock Fire Control District
 - HB 865—Golden Gate Fire Control District
 - HB 867—Immokalee Fire Control District
 - HB 869—Cow Slough Water Control District
 - HB 871—Big Corkscrew Island Fire Control
 - HB 875—Matlacha/Pine Island Fire District
 - HB 877—San Carlos Park Fire District
 - HB 927—Captiva Erosion Prevention District
 - HB 963—West Manatee Fire & Rescue District
 - HB 967—Manatee Co./Garden Trash/Collection
 - HB 971—Palm Beach Co. Library District
 - HB 985—LeHigh Acres Fire Control District
 - HB 987—Lake Region Lakes Management Dist.
 - HB 1197—Lee County & City of Fort Myers
 - HB 1445—Barron Water Control District
 - HB 1495—Palm Beach Co./Acme Improvement Dist.
 - HB 1595—S. Indian River Water Control Dist.
 - HB 1627—Hillsborough Co./Performance Audits
 - HB 1685—Lee Co./Alva Fire & Rescue District
 - HB 1689—Broward Co./City of Pompano Beach
 - HB 1693—Broward Co./City of Pompano Beach
 - HB 1695—Broward Co./City of Deerfield Beach
 - HB 1697—Broward Co./Deerfield Beach
 - HB 1703—Deerfield Beach Corporate Limits
 - HB 1705—Deerfield Beach Corporate Limits
 - HB 1711—N. Palm Beach Co. Improvement Dist.
 - HB 1761—Ft. Lauderdale/Corporate Limits
 - HB 1765—Cooper City/Corporate Limits
 - HB 1779—Broward Co./Pompano Beach
 - HB 1843—Gulf Co./Port St. Joe Port Authority
- II. Consideration of the following claim bills:
 - HB 1497—Relief/William D. & Susan G. Mock
 - SB 8—Relief/William D. & Susan G. Mock
 - HB 1499—Relief/Frank J. & Marlene G. Ruck
 - SB 12—Relief/Frank J. & Marlene G. Ruck
 - HB 1501—Relief/Virgilio & Anagely Chavez
 - HB 1553—Relief/Elizabeth Menendez
 - HB 1555—Relief/Clarice Holland
 - HB 1557—Relief/Jason & Donna Crosby
 - HB 2277—Relief/Earl Spencer/Fort Lauderdale
 - HB 2279—Relief/Fred Fedorka/Volusia Co.
 - CS/SB 38—Relief/Fred Fedorka/Volusia Co.
- III. Consideration of the following bill(s):
 - CS/HB 607—Pretrial Release
 - CS/HB 125—Release of Employee Information
 - HB 1115—Bail Bond Premiums
 - HB 1009—Imitation Controlled Substances/Sale
 - HB 1461—Hand-held Laser Lighting Devices
 - HB 145—Concealed Handcuff Keys
 - HB 435—Sentencing
 - CS/CS/CS/HB 49—DUI/Substance Abuse Course/Minors
 - HB 1601—Property Exempt From Legal Process
 - HB 643—Student Govts. & State Universities
 - CS/HB 1477—Public Records Exemption
 - HM 97—POW/MIA Information
 - CS/HB 251—Condominiums/Unpaid Assessments
 - CS/CS/HB 445—Real Estate Brokers/Escrow Funds
 - CS/HB 395—Ad Val Tax Exemption/Capital Lease
 - HB 1465—Condominium Associations
 - CS/HB 439—Public Records/Certified Capital Co.
 - CS/HB 1083—Design Professional Contracts
 - CS/HB 247—Reinsurance Credit

HB 105—Ad Val Tax & Documentary Stamps
 HB 1655—Insurance Adjusters
 HB 1139—Consumer Loan Delinquency Charges
 HB 413—Insurance/Countersignature Law
 CS/HB 659—Private Property Rights Protection
 HB 583—Partial-Birth Abortion Act

Respectfully submitted,
Joseph Arnall
 Chair
 Committee on Rules & Calendar

On motion by Rep. Arnall, the rules were suspended and the above report, as amended, was adopted.

Ceremonial Resolutions Calendar

The Honorable John Thrasher
Speaker, House of Representatives

April 5, 2000

Dear Mr. Speaker:

In accordance with the vote of the House, the following report is the Ceremonial Resolutions Calendar to be adopted by publication in the Journal Thursday, April 6, 2000:

HR 9073—Cantor, Daniel D.
 HR 9075—Lehman, Congressman William

Respectfully submitted,
Joseph Arnall
 Chair
 Committee on Rules & Calendar

On motion by Rep. Arnall, the rules were suspended and the above published report was adopted.

Suspension of Rule 127 for Special Order Calendar

On motion by Rep. L. Miller, Rule 127 was suspended and the Chair of the Committee on Rules & Calendar, in consultation with Rep. L. Miller, was given permission to set the Special Order Calendar for Wednesday, April 12.

Motions Relating to Committee References

On motion by Rep. Byrd, agreed to by two-thirds vote, CS/HB 107 was withdrawn from further consideration of the House.

On motion by Rep. Goodlette, agreed to by two-thirds vote, CS/HB 733 was withdrawn from further consideration of the House.

On motion by Rep. Melvin, agreed to by two-thirds vote, HB 1493 was withdrawn from further consideration of the House.

On motion by Rep. Gay, agreed to by two-thirds vote, HB 2285 was withdrawn from further consideration of the House.

On motion by Rep. Bitner, agreed to by two-thirds vote, HB 2039 was withdrawn from the Committee on Business Regulation & Consumer Affairs and remains referred to the Committees on Finance & Taxation and General Government Appropriations.

On motion by Rep. Bitner, agreed to by two-thirds vote, HB 2073 was withdrawn from the Committee on Financial Services and remains referred to the Committee on Transportation & Economic Development Appropriations.

On motion by Rep. Bradley, agreed to by two-thirds vote, HB 819 was withdrawn from the Committee on Transportation and remains referred to the Committees on Environmental Protection, Finance & Taxation, and Transportation & Economic Development Appropriations.

On motion by Rep. Sublette, agreed to by two-thirds vote, CS/HB 893 was withdrawn from the Committee on Community Affairs and remains referred to the Committees on Crime & Punishment, Finance & Taxation, and Transportation & Economic Development Appropriations.

On motion by Rep. Sublette, agreed to by two-thirds vote, CS/HB 979 was withdrawn from the Committee on Governmental Operations and remains referred to the Committees on Finance & Taxation and General Government Appropriations.

On motion by Rep. Pruitt, agreed to by two-thirds vote, HB 55 and CS/HB 333 were withdrawn from the Committee on Criminal Justice Appropriations and placed on the appropriate Calendar.

Reconsideration of Motion

Rep. Rayson requested consent to reconsider the motion by which CS/HB 107 was withdrawn from further consideration of the House, which was agreed to without objection.

On motion by Rep. Pruitt, agreed to by two-thirds vote, HB 1569 was withdrawn from the Committee on General Government Appropriations and placed on the appropriate Calendar.

On motion by Rep. Arnall, agreed to by two-thirds vote, HJR 923 was withdrawn from the Committee on Rules & Calendar and recommitted to the Committee on Judiciary.

Immediately Certified

On motion by Rep. Arnall, the rules were suspended and CS/CS/HB 69, which passed the House April 4, was immediately certified to the Senate.

Motions Relating to Committee References

On motion by Rep. Byrd, agreed to by two-thirds vote, CS/HB 167 was withdrawn from the Committee on Real Property & Probate and remains referred to the Committee on General Government Appropriations.

Special Orders

Local Calendar

REPRESENTATIVE CRADY IN THE CHAIR

Rep. Crady explained the procedure for consideration of the Local Calendar, which was adopted by the required suspension of the rules.

Rep. Feeney suggested the absence of a quorum. A quorum was present.

CS/HB 563—A bill to be entitled An act relating to Monroe County; creating the "Village of Paradise Islands"; providing legislative intent; powers; providing for its charter; providing for municipal powers; providing municipal boundaries; providing a mayor-council-manager form of government; providing for election of a mayor and council; providing for membership, qualifications, terms, powers, and duties of its members, including the mayor; providing for a vice mayor; providing for compensation and payment of expenses; providing general powers and duties; providing circumstances resulting in vacancy in office; providing grounds for forfeiture and suspension; providing for filling of vacancies; providing for meetings; providing for keeping of records; providing for adoption, distribution, and recording of technical codes; providing a limitation upon employment of council members; providing that certain interference with village employees shall constitute malfeasance in office; establishing the fiscal year; providing for adoption of annual budget and appropriation; providing amendments for supplemental, reduction, and transfer of appropriations; providing for limitations; providing for appointment of charter offices, including a village manager and village attorney; providing for removal, compensation, and filling of vacancies; providing for bond for village manager and village clerk; providing qualifications, powers, and duties; providing for nonpartisan elections and for matters relative thereto; providing for recall; providing for initiative and referenda; providing the village a transitional schedule and procedures for first election; providing for first-year expenses; providing for adoption of transitional ordinances, resolutions, comprehensive plan, and local development regulations; providing for a solid waste collection plan; providing for

accelerated entitlement to state shared revenues; providing for gas tax revenue; providing for infrastructure surtax revenues; providing for the assessment and collection of ad valorem taxes; providing for future amendments of the charter; providing for standards of conduct in office; providing for severability; providing for a referendum approval; providing effective dates.

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

Session Vote Sequence: 9111

Yeas—112

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

Nays—1

Morroni

So the bill passed and was immediately certified to the Senate.

CS/HB 565—A bill to be entitled An act relating to Monroe County; creating the “Village of the Lower Keys”; providing legislative intent; providing for its charter; providing municipal boundaries and municipal powers; providing a mayor-commission-manager form of government; providing for election of a mayor and Village commission; providing for membership, qualifications, terms, powers, and duties of its members, including the mayor; providing for a vice mayor; providing compensation and for payment of expenses; providing general powers and duties; providing circumstances resulting in vacancy in office; providing grounds for forfeiture and suspension; providing for filling of vacancies; providing for meetings; providing for keeping of records; providing for adoption, distribution, and recording of technical codes; providing a limitation upon employment of commissioners; providing that certain interference with Village employees shall constitute malfeasance in office; establishing the fiscal year; providing for adoption of annual budget and appropriation; providing amendments for supplemental, reduction, and transfer of appropriations; providing for limitations; providing for appointment of charter offices, including a Village manager and Village attorney; providing for removal, compensation, and filling of vacancies; providing for bond for Village manager and Village clerk; providing qualifications, powers, and duties; providing for nonpartisan elections and for matters relative thereto; providing for recall; providing for initiative and referenda; providing a transitional schedule and procedures for first election; providing for first year

expenses; providing for adoption of transitional ordinances, resolutions, comprehensive plan, and local development regulations; providing for a transitional agreement between Monroe County and the Village of the Lower Keys; providing for accelerated entitlement to state-shared revenues; providing for gas tax revenue; providing for future amendments of the charter; providing for standards of conduct in office; providing severability; providing a referendum; providing effective dates.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 791—A bill to be entitled An act relating to Iona-McGregor Fire Protection and Rescue Service District, Lee County; providing for codification of special laws relating to Iona-McGregor Fire Protection and Rescue Service District pursuant to s. 191.015, F.S.; providing legislative intent; amending, codifying, and reenacting chapters 75-421, 76-402, 77-593, 80-526, 80-527, 81-411, 82-317, and 83-448 and sections 1(1) and 2 of chapter 88-545, Laws of Florida; providing definitions; providing the status, purpose, and boundaries of the district; providing for charter amendments; providing for a governing board; providing for compensation; requiring a bond; providing powers and duties; providing for financial disclosure and public meetings and records; providing authority to levy ad valorem taxes; providing for liens; providing for deposit and use of district funds; providing authority to borrow money; providing authority to establish policies and regulations and a Fire Prevention Code; providing for dissolution procedures; establishing requirements for actions against the district; providing authority to exercise eminent domain; providing construction and effect; repealing all prior special acts of the Legislature relating to the Iona-McGregor Fire Protection and Rescue Service District; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 793—A bill to be entitled An act relating to the North Fort Myers Fire Control and Rescue Service District, Lee County; providing for codification of special laws relating to the North Fort Myers Fire Control and Rescue Service District pursuant to section 191.015, F.S.; providing legislative intent; creating and establishing a fire control and rescue service district in said county and fixing the boundaries of the district; providing for a governing board; prescribing the powers and duties of the board; providing for minimum charter requirements in accordance with chapter 189, F.S.; providing for assessment of taxes; providing for liberal construction; providing for severability; amending, codifying, reenacting, and repealing chapter 29240, Laws of Florida, 1953, chapter 30925, Laws of Florida, 1955, and chapters 61-2396, 63-1540, 71-732, 71-745, 72-601, 76-400, 77-591, 78-550, 85-443, 86-384, Laws of Florida, ss. 3, 4, and 5 of chapter 87-447, and chapters 89-523 and 91-390, Laws of Florida, relating to the North Fort Myers Fire Control District and the North Fort Myers Fire Control and Rescue Service District; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

The Chair	Bilirakis	Bush	Detert
Alexander	Bitner	Byrd	Diaz de la Portilla, R.
Andrews	Bloom	Cantens	Dockery
Argenio	Boyd	Casey	Edwards
Argenziano	Bradley	Chestnut	Eggelletion
Arnall	Bronson	Constantine	Farkas
Barreiro	Brown	Cosgrove	Fasano
Bense	Brummer	Crist	Feeney
Betancourt	Bullard	Crow	Fiorentino

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 795—A bill to be entitled An act relating to Palm Harbor Special Fire Control and Rescue District, a public municipal corporation of the state of Florida in Pinellas County; providing for the codification of special laws relating to Palm Harbor Special Fire Control and Rescue District pursuant to s. 191.015, F.S.; providing legislative intent; amending, codifying, and reenacting ch. 82-369, Laws of Florida; ch. 84-512, Laws of Florida; ch. 84-513, Laws of Florida; ch. 86-441, Laws of Florida; ch. 88-477, Laws of Florida; and ch. 95-469, Laws of Florida, relating to Palm Harbor Special Fire Control and Rescue District; providing for repeal of prior special acts related to Palm Harbor Special Fire Control and Rescue District; providing for creation and District boundaries; providing for status and purpose; providing for the amendment of the charter; providing for expansion of boundaries; providing for the governing body; providing power and duties; providing for the election of the board of commissioners; providing taxing authority for special assessments; providing for ad valorem taxes; providing for revenue and debts; providing for district funds; providing for duties of the board; providing for policies and regulations; providing for public disclosure; providing for dissolution and annexation of the district; providing definitions; providing impact fees; providing application; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 850315)

Amendment 1—On page 3, remove from the bill: line 22

and insert in lieu thereof: *1385.80 feet to the East and est. centerline of*

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

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 455313)

Amendment 2—On page 15, remove from the bill: line 25

and insert in lieu thereof: *portions thereof required to provide fire protection services to new construction. "New facilities" means buildings and capital equipment, including, but not limited to, fire vehicles and radio-telemetry equipment. Said fees shall not be used for the acquisition, purchase, or construction of facilities which must be obtained in any event, regardless of growth within the district. The board of commissioners shall maintain adequate records to ensure that impact fees are expended only for permissible new facilities.*

Rep. Gay moved the adoption of the amendment, which was adopted. and insert in lieu thereof:

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 170635)

Amendment 3—On page 15, remove from the bill: line 26

and insert in lieu thereof:

Section 4. *Chapters 82-369, 84-512, 84-513, 85-489, 86-441,*

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

On motion by Rep. Bilirakis, the rules were suspended and HB 795, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

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

Nays—None

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

HB 815—A bill to be entitled An act relating to Osceola County; amending chapter 89-516, Laws of Florida; providing for authority of sheriff over appeal hearing proceedings; revising requirements for membership of Career Service Board; providing for alternate appointee to the board; providing rules regarding an impasse on appointment of fifth board member; requiring advance approval of entire board to replace or substitute seated board member; increasing number of days for board to hear an appeal; revising compensation for certain witnesses before the board; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 200433)

Amendment 1 (with title amendment)—
Remove from the bill: Everything after the enacting clause

Section 1. *This act constitutes the codification of chapter 89-516, Laws of Florida, relating to the Osceola County Sheriff's Office. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act, including current legislative authority and any additional authority granted by this act.*

Section 2. *Chapter 89-516, Laws of Florida is codified and repealed as provided by this act.*

Section 3. *Members of the Osceola County Sheriff's Office; applicability of the act; career services of agency members; transition; administration.—*

(1) *Applicability.—The provisions of this act shall apply to all appointed deputy sheriffs and nonappointed members of the Osceola County Sheriff's Office. The provisions of this act shall not apply to the sheriff; nor to those above the rank of lieutenant; nor to special deputy sheriffs appointed pursuant to s. 30.09(4), Florida Statutes, members of the sheriff's reserve, auxiliary, posse units, volunteers, task force members, and individuals appointed as part-time deputy sheriffs, as defined by the Criminal Justice Standards and Training Commission. As used in this act, the terms "member," "personnel," "employee," "employ," and "employment" shall refer to all persons, whether employed or appointed, to whom the act applies. It is not, however, the intent of this act to grant the right of collective bargaining to members of the Osceola County Sheriff's Office who do not otherwise have that right pursuant to law.*

(2) *Career Service positions.—*

(a) *The following Career Service positions are established and recognized:*

1. *Level 4 lieutenant.*
2. *Level 3 sergeant.*
3. *Level 2 deputy sheriff.*
4. *Level 1 nonappointed.*

(b) *Promotions above level 1 shall be made by content-valid examinations according to the agency's promotional system. All promotions to the rank of sergeant and lieutenant made after the effective date of this act must be as a result of said competitive examinations.*

(3) *Career Service status.—*

(a) *After a member of the Sheriff's Office, to whom the provisions of this act apply, has served for a period of one (1) calendar year, such member shall have attained Career Service status, unless the member is placed on extended probation for just cause.*

(b) *Effective upon this act becoming a law, all current nonprobationary members of the Sheriff's Office will be granted Career Service status at the rank which they currently hold, provided that said member currently holds a Career Service rank.*

(c) *If a member is separated but later rejoins the Sheriff's Office, said member shall be required to complete one (1) further calendar year of service before being granted the right of appeal provided in section 3.*

(d) *Any member who is required to serve a probationary period attendant to a promotion shall retain Career Service status with the Sheriff, but may be demoted to his/her prior rank during such probationary period without the right of appeal as provided in section 3.*

(e) *A member demoted to a Career Service rank from a non-Career Service rank shall complete a one (1) year probationary period in the Career Service rank before being eligible to protection offered with Career Services status.*

(f) *Promotions or demotions of members or creation of rank to circumvent the intent of this act shall be held as invalid and shall not affect the Career Service status of any member affected by such invalid action.*

(4) *Transition of Career Service members.—*

(a) *When a newly elected or appointed sheriff assumes office, the new sheriff shall continue the status of current Career Service personnel unless cause for dismissal or demotion exists.*

(b) *Cause shall be misfeasance, nonfeasance, or malfeasance of office.*

(c) *Said Career Service members shall retain their Career Service ranks up to and including the rank of lieutenant.*

(5) *Administration.—The sheriff has and shall continue to have the authority to adopt such rules, regulations, and procedures as are necessary for the implementation and administration of this act, including, but not limited to, appeal hearing proceedings. Nothing in this act shall be construed as affecting the budgetmaking powers of the Board of County Commissioners of Osceola County.*

Section 4. Complaints against members; standards of conduct; discipline; discipline appeals.—

(1) *Standards of conduct and complaint procedure.—The sheriff shall establish general rules and standards of conduct for all personnel and a complaint receipt and processing procedure in order to adequately provide for the prompt receipt, investigation, and disposition of complaints against personnel of the Sheriff of Osceola County.*

(2) *Discipline procedure.—A discipline procedure shall be established which contains provisions for factual review of each disciplinary action by the sheriff's director of personnel, or other person so designated by the sheriff, and an opportunity for the accused to respond to the charges. A decision by the disciplining authority to impose a disciplinary action shall result in the completion of a Notice of Disciplinary Action form by the disciplining authority.*

(3) *Discipline appeal procedure.—*

(a) *An appeal of a Notice of Disciplinary Action must be made in accordance with the sheriff's disciplinary procedure and shall result in a hearing by a departmental Disciplinary Appeal Board as specified in said procedure. The sheriff shall appoint the chairperson and the board shall serve as specified in the discipline procedure.*

(b) *Following the hearing the board shall report to the sheriff via the director of personnel, or other person so designated by the sheriff, specifying whether the appeal is with or without merit.*

(c) *The sheriff shall render a decision in writing that shall be final.*

Section 5. Career Service Board; creation; membership duties.—

(1) *Function of the board.—A Career Service Appeals Board shall be appointed herein for the purposes of hearing appeals of Career Service members arising from disciplinary actions brought under the sheriff's rules, procedures, or policies which result in dismissal, suspension, demotion, or reduction in pay, provided that oral or written reprimand, probation, and suspension from work for three (3) work days or less as a result of a single investigation shall not be appealable to the board.*

(2) *Membership of the Career Service Board.—The Career Service Board shall consist of five (5) members, none of whom shall have been involved in the original event which resulted in the disciplinary process that is the subject of the appeal, none of whom are related to the appellant, none of whom have been terminated from a law enforcement agency within Osceola County due to a disciplinary action, none of whom have any ongoing litigation against the Osceola Sheriff's Office, and none of whom are on probation or have received discipline within the last year. A method of selection and terms of office are as follows:*

(a) *The sheriff shall appoint two full-time law enforcement officers from an agency within Osceola County to serve on the board only with regard to the appellant's particular appeal.*

(b) *The appellant shall appoint two full-time law enforcement officers from an agency within Osceola County to serve on the board only with regard to the appellant's particular appeal.*

(c) *The four members of the board, having been selected as per paragraphs (a) and (b) shall between them select a full-time law enforcement officer employed at the Osceola County Sheriff's Office to serve as the fifth member and chairperson of the board. This chairperson/member shall serve only with regard to the appellant's particular appeal.*

(d) *In the event that either the sheriff or the appellant's appointees to the board do not qualify as per section 3., paragraph (2), an alternate name shall be submitted to the career service administrator by the applicable party within three (3) working days of notification of the disqualification.*

(e) *The appeal board will be declared at an impasse by the administrator if the four members fail to agree on a fifth member/chairperson. After declaring an impasse, the administrator shall notify the sheriff or his/her designated representative and the appellant. To break the impasse, the administrator may utilize the following options:*

1. *The sheriff and/or appellant may choose to appoint new board members or retain the present appointees.*

2. *If neither party wishes to replace their appointees, or if new appointees still result in an impasse, the administrator shall contact a circuit or county judge and request the court appoint a fifth member to serve as a chairperson from a current roster of law enforcement officers employed on a full-time basis at the Osceola Sheriff's Office.*

(f) *All five members, as provided for above, shall constitute a quorum.*

(g) *Seated board members may not be replaced or substituted without advanced approval of the entire remaining board.*

(h) *The sheriff shall select a member of the Osceola County Sheriff's Office to serve as the administrator of the Career Service Board. This administrator shall have no voting right as to the actions of the board and shall serve only to assist the board in scheduling, recording, the calling of witnesses, and other such administrative duties and shall be responsible for advising the board of the board's responsibilities under the provisions of this act.*

Section 6. Career Service Board appeal procedure.—

(1) *Timeliness.—A Career Service appeal of the final decision of the sheriff on a disciplinary action as specified in section 3 shall be made in writing to the administrator of the Career Service Board. The Career Service appeal must be received by the administrator no later than five (5) working days after the disciplined individual is served with the sheriff's final decision. Said appeal shall include the names of the two members of the board selected by the appellant as provided in section 3(2)(b). The Career Service Board shall meet for purposes of hearing the appeal no later than thirty (30) working days after the receipt of an appeal by the administrator.*

(2) *Conduct of hearing.—*

(a) *During any Career Service hearing the member filing the appeal shall have the right to be heard publicly, to be represented by an individual of his/her choice, other than an elected or appointed official of Osceola County or an attorney licensed to practice law in the State of Florida, and to present any evidentiary facts in his/her behalf, however, said facts shall be restricted to those presented during the disciplinary procedure.*

(b) *During such hearings, the technical rules of evidence shall not apply.*

(c) *The board shall, in the conduct of such hearings, have the power to administer oaths, issue subpoenas, compel the attendance of witnesses, and require the production of books, records, accounts, papers, documents, and testimony.*

(d) *In the event of disobedience by any person to comply with an order of the board or a subpoena issued by the board, or upon refusal of a witness to testify on any matter regarding which he/she may be lawfully interrogated, a Circuit Judge of the Ninth Judicial Circuit, upon*

application of the chairperson of the board, shall compel obedience by proceeding as for contempt.

(e) Each witness who appears in obedience to a subpoena before the board shall receive compensation for attendance fees and mileage as provided witnesses in civil cases in the courts of this state unless the witness is a law enforcement officer appearing before the board during normal duty hours. Such payments shall be made by the party calling the witness; except that with respect to any witness called by the board, payments shall be made by the sheriff upon presentation of proper vouchers and approval of the chairperson and administrator.

(f) The board shall have the power to enact, adopt, and amend rules and regulations governing procedures before the board.

(3) Board responsibilities and findings.—

(a) The board shall, by majority vote, dispose of the appeal by making findings of fact and issuing a written decision to the sheriff and the appellant.

(b) Such decision shall either sustain or not sustain the action being appealed.

(c) If an action by the sheriff is not sustained by the board, the board shall offer such remedial action as is appropriate, which may include reinstatement with or without back pay and may modify any disciplinary action which was the subject of the appeal.

(d) No board shall have the authority to impose on any member any penalty which is more harsh than that which formed the basis of the appeal.

(e) The decision of the board shall be final and binding on the appellant and the sheriff.

Section 7. All persons to whom this act applies as specified in section 1 who have served for a period of one (1) calendar year or more as of the effective date of this act shall be Career Service members subject to the provisions of this act. All other members shall become Career Service members subject to the provisions of this act upon reaching their one (1) year service anniversary date.

Section 8. The provisions of this act shall be severable and, if any of the provisions shall be unconstitutional, the decision of the court shall not affect the validity of the remaining provisions. It is hereby declared to be the intent of the Legislature that this act would have been adopted had such unconstitutional provision not been included therein.

Section 9. This act repeals chapter 89-516, Laws of Florida.

Section 10. This act shall take effect upon becoming a law.

And the title is amended as follows:

On page 1, lines 2-14,
remove from the title of the bill: all of said lines

and insert in lieu thereof: An act relating to Osceola County; providing Career Service status for certain members of the Osceola County Sheriff's Office; providing for codification of chapter 89-516, Laws of Florida; specifying rights of members; providing promotional procedures and Career Service positions; providing for the appointment of a Career Service board to hear appeals and procedures with respect thereto; specifying a disciplinary policy and providing procedures of appeal and complaint handling; repealing chapter 89-516, Laws of Florida; providing an effective date.

Rep. Gay moved the adoption of the amendment.

The Committee on Governmental Operations offered the following:

(Amendment Bar Code: 295303)

Substitute Amendment 1 (with title amendment)—

Remove from the bill: Everything after the enacting clause

and insert in lieu thereof:

Section 1. This act constitutes the codification of chapter 89-516, Laws of Florida, relating to the Osceola County Sheriff's Office. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act, including current legislative authority and any additional authority granted by this act.

Section 2. Chapter 89-516, Laws of Florida, is codified and repealed as provided by this act.

Section 3. The Osceola County Sheriff's Office Civil Service Act is re-created and reenacted to read:

Section 1. Members of the Osceola County Sheriff's Office; applicability of the act; career services of agency members; transition; administration.—

(1) Applicability.—The provisions of this act shall apply to all appointed deputy sheriffs and nonappointed members of the Osceola County Sheriff's Office. The provisions of this act shall not apply to the sheriff; nor to those above the rank of lieutenant; nor to special deputy sheriffs appointed pursuant to section 30.09(4), Florida Statutes, members of the sheriff's reserve, auxiliary, posse units, volunteers, task force members, and individuals appointed as part-time deputy sheriffs, as defined by the Criminal Justice Standards and Training Commission. As used in this act, the terms "member," "personnel," "employee," "employ," and "employment" shall refer to all persons, whether employed or appointed, to whom the act applies. It is not, however, the intent of this act to grant the right of collective bargaining to members of the Osceola County Sheriff's Office who do not otherwise have that right pursuant to law.

(2) Career Service positions.—

(a) The following Career Service positions are established and recognized:

1. Level 4 lieutenant.
2. Level 3 sergeant.
3. Level 2 deputy sheriff.
4. Level 1 nonappointed.

(b) Promotions above level 1 shall be made by content-valid examinations according to the agency's promotional system. All promotions to the rank of sergeant and lieutenant made after the effective date of this act must be as a result of said competitive examinations.

(3) Career Service status.—

(a) After a member of the Sheriff's Office, to whom the provisions of this act apply, has served for a period of one (1) calendar year, such member shall have attained Career Service status, unless the member is placed on extended probation for just cause.

(b) Effective upon this act becoming a law, all current nonprobationary members of the Sheriff's Office will be granted Career Service status at the rank which they currently hold, provided that said member currently holds a Career Service rank.

(c) If a member is separated but later rejoins the Sheriff's Office, said member shall be required to complete one (1) further calendar year of service before being granted the right of appeal provided in section 4.

(d) Any member who is required to serve a probationary period attendant to a promotion shall retain Career Service status with the Sheriff, but may be demoted to his/her prior rank during such probationary period without the right of appeal as provided in section 4.

(e) A member demoted to a Career Service rank from a non-Career Service rank shall complete a one (1) year probationary period in the Career Service rank before being eligible to protection offered with Career Services status.

(f) Promotions or demotions of members or creation of rank to circumvent the intent of this act shall be held as invalid and shall not

affect the Career Service status of any member affected by such invalid action.

(4) *Transition of Career Service members.*—

(a) *When a newly elected or appointed sheriff assumes office, the new sheriff shall continue the status of current Career Service personnel unless cause for dismissal or demotion exists.*

(b) *Cause shall be misfeasance, nonfeasance, or malfeasance of office.*

(c) *Said Career Service members shall retain their Career Service ranks up to and including the rank of lieutenant.*

(5) *Administration.*—*The sheriff has and shall continue to have the authority to adopt such rules, regulations, and procedures as are necessary for the implementation and administration of this act, including, but not limited to, appeal hearing proceedings. Nothing in this act shall be construed as affecting the budgetmaking powers of the Board of County Commissioners of Osceola County.*

Section 2. Complaints against members; standards of conduct; discipline; discipline appeals.—

(1) *Standards of conduct and complaint procedure.*—*The sheriff shall establish general rules and standards of conduct for all personnel and a complaint receipt and processing procedure in order to adequately provide for the prompt receipt, investigation, and disposition of complaints against personnel of the Sheriff of Osceola County.*

(2) *Discipline procedure.*—*A discipline procedure shall be established which contains provisions for factual review of each disciplinary action by the sheriff's director of personnel, or other person so designated by the sheriff, and an opportunity for the accused to respond to the charges. A decision by the disciplining authority to impose a disciplinary action shall result in the completion of a Notice of Disciplinary Action form by the disciplining authority.*

(3) *Discipline appeal procedure.*—

(a) *An appeal of a Notice of Disciplinary Action must be made in accordance with the sheriff's disciplinary procedure and shall result in a hearing by a departmental Disciplinary Appeal Board as specified in said procedure. The sheriff shall appoint the chairperson and the board shall serve as specified in the discipline procedure.*

(b) *Following the hearing, the board shall report to the sheriff via the director of personnel, or other person so designated by the sheriff, specifying whether the appeal is with or without merit.*

(c) *The sheriff shall render a decision in writing that shall be final.*

Section 3. Career Service Board; creation; membership duties.—

(1) *Function of the board.*—*A Career Service Appeals Board shall be appointed herein for the purposes of hearing appeals of Career Service members arising from disciplinary actions brought under the sheriff's rules, procedures, or policies which result in dismissal, suspension, demotion, or reduction in pay, provided that oral or written reprimand, probation, and suspension from work for three (3) work days or less as a result of a single investigation shall not be appealable to the board.*

(2) *Membership of the Career Service Board.*—*The Career Service Board shall consist of five (5) members, none of whom shall have been involved in the original event which resulted in the disciplinary process that is the subject of the appeal, none of whom are related to the appellant, none of whom have been terminated from a law enforcement agency within Osceola County due to a disciplinary action, none of whom have any ongoing litigation against the Osceola Sheriff's Office, and none of whom are on probation or have received discipline within the last year. A method of selection and terms of office are as follows:*

(a) *The sheriff shall appoint two full-time law enforcement officers from an agency within Osceola County to serve on the board only with regard to the appellant's particular appeal.*

(b) *The appellant shall appoint two full-time law enforcement officers from an agency within Osceola County to serve on the board only with regard to the appellant's particular appeal.*

(c) *The four members of the board, having been selected as per paragraphs (a) and (b) shall between them select a full-time law enforcement officer employed at the Osceola County Sheriff's Office to serve as the fifth member and chairperson of the board. This chairperson/member shall serve only with regard to the appellant's particular appeal.*

(d) *In the event that either the sheriff or the appellant's appointees to the board do not qualify as per subsection (2), an alternate name shall be submitted to the career service administrator by the applicable party within three (3) working days of notification of the disqualification.*

(e) *The appeal board will be declared at an impasse by the administrator if the four members fail to agree on a fifth member/chairperson. After declaring an impasse, the administrator shall notify the sheriff or his/her designated representative and the appellant. To break the impasse, the administrator may utilize the following options:*

1. *The sheriff and/or appellant may choose to appoint new board members or retain the present appointees.*

2. *If neither party wishes to replace their appointees, or if new appointees still result in an impasse, the administrator shall contact a circuit or county judge and request the court appoint a fifth member to serve as a chairperson from a current roster of law enforcement officers employed on a full-time basis at the Osceola Sheriff's Office.*

(f) *All five members, as provided for above, shall constitute a quorum.*

(g) *Seated board members may not be replaced or substituted without advanced approval of the entire remaining board.*

(h) *The sheriff shall select a member of the Osceola County Sheriff's Office to serve as the administrator of the Career Service Board. This administrator shall have no voting right as to the actions of the board and shall serve only to assist the board in scheduling, recording, the calling of witnesses, and other such administrative duties and shall be responsible for advising the board of the board's responsibilities under the provisions of this act.*

Section 4. Career Service Board appeal procedure.—

(1) *Timeliness.*—*A Career Service appeal of the final decision of the sheriff on a disciplinary action as specified in section 2(3)(c) shall be made in writing to the administrator of the Career Service Board. The Career Service appeal must be received by the administrator no later than five (5) working days after the disciplined individual is served with the sheriff's final decision. Said appeal shall include the names of the two members of the board selected by the appellant as provided in section 3(2)(b). The Career Service Board shall meet for purposes of hearing the appeal no later than thirty (30) working days after the receipt of an appeal by the administrator.*

(2) *Conduct of hearing.*—

(a) *During any Career Service hearing the member filing the appeal shall have the right to be heard publicly, to be represented by an individual of his/her choice, other than an elected or appointed official of Osceola County or an attorney licensed to practice law in the State of Florida, and to present any evidentiary facts in his/her behalf, however, said facts shall be restricted to those presented during the disciplinary procedure.*

(b) *During such hearings, the technical rules of evidence shall not apply.*

(c) *The board shall, in the conduct of such hearings, have the power to administer oaths, issue subpoenas, compel the attendance of witnesses, and require the production of books, records, accounts, papers, documents, and testimony.*

(d) *In the event of disobedience by any person to comply with an order of the board or a subpoena issued by the board, or upon refusal of a witness to testify on any matter regarding which he/she may be lawfully interrogated, a Circuit Judge of the Ninth Judicial Circuit, upon application of the chairperson of the board, shall compel obedience by proceeding as for contempt.*

(e) Each witness who appears in obedience to a subpoena before the board shall receive compensation for attendance fees and mileage as provided witnesses in civil cases in the courts of this state unless the witness is a law enforcement officer appearing before the board during normal duty hours. Such payments shall be made by the party calling the witness; except that with respect to any witness called by the board, payments shall be made by the sheriff upon presentation of proper vouchers and approval of the chairperson and administrator.

(f) The board shall have the power to enact, adopt, and amend rules and regulations governing procedures before the board.

(3) Board responsibilities and findings.—

(a) The board shall, by majority vote, dispose of the appeal by making findings of fact and issuing a written decision to the sheriff and the appellant.

(b) Such decision shall either sustain or not sustain the action being appealed.

(c) If an action by the sheriff is not sustained by the board, the board shall offer such remedial action as is appropriate, which may include reinstatement with or without back pay and may modify any disciplinary action which was the subject of the appeal.

(d) No board shall have the authority to impose on any member any penalty which is more harsh than that which formed the basis of the appeal.

(e) The decision of the board shall be final and binding on the appellant and the sheriff.

Section 5. All persons to whom this act applies as specified in section 1 who have served for a period of one (1) calendar year or more as of the effective date of this act shall be Career Service members subject to the provisions of this act. All other members shall become Career Service members subject to the provisions of this act upon reaching their one (1) year service anniversary date.

Section 4. The provisions of this act shall be severable and, if any of the provisions shall be unconstitutional, the decision of the court shall not affect the validity of the remaining provisions. It is hereby declared to be the intent of the Legislature that this act would have been adopted had such unconstitutional provision not been included therein.

Section 5. Chapter 89-516, Laws of Florida, is repealed.

Section 6. This act shall take effect upon becoming a law.

And the title is amended as follows:

On page 1, lines 2-14, remove from the title of the bill: all of said lines

and insert in lieu thereof: An act relating to Osceola County; providing Career Service status for certain members of the Osceola County Sheriff's Office; providing for codification of chapter 89-516, Laws of Florida; specifying rights of members; providing promotional procedures and Career Service positions; providing for the appointment of a Career Service board to hear appeals and procedures with respect thereto; specifying a disciplinary policy and providing procedures of appeal and complaint handling; repealing chapter 89-516, Laws of Florida; providing an effective date.

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

On motion by Rep. Bronson, the rules were suspended and HB 815, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

The Chair	Argenio	Barreiro	Bilirakis
Alexander	Argenziano	Bense	Bitner
Andrews	Arnall	Betancourt	Bloom

Boyd	Futch	Littlefield	Ryan
Bradley	Garcia	Logan	Sanderson
Bronson	Gay	Lynn	Sembler
Brown	Goode	Maygarden	Smith, C.
Brummer	Goodlette	Melvin	Smith, K.
Bullard	Gottlieb	Merchant	Sobel
Bush	Green, C.	Miller, J.	Sorensen
Byrd	Greene, A.	Miller, L.	Spratt
Cantens	Greenstein	Minton	Stafford
Casey	Hafner	Morrone	Stansel
Chestnut	Harrington	Murman	Suarez
Constantine	Hart	Ogles	Sublette
Cosgrove	Henriquez	Patterson	Thrasher
Crist	Heyman	Peaden	Trovillion
Crow	Hill	Posey	Tullis
Detert	Jacobs	Prieguez	Turnbull
Diaz de la Portilla, R.	Johnson	Pruitt	Villalobos
Dockery	Jones	Putnam	Wallace
Edwards	Kelly	Rayson	Wasserman Schultz
Eggelletion	Kilmer	Reddick	Waters
Farkas	Kosmas	Ritchie	Wiles
Fasano	Kyle	Ritter	Wilson
Feeney	Lacasa	Roberts	Wise
Fiorentino	Lawson	Rojas	
Flanagan	Lee	Rubio	
Frankel	Levine	Russell	

Nays—None

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

HB 835—A bill to be entitled An act relating to vacancies on the council of the City of Jacksonville; amending chapter 92-341, Laws of Florida, as amended, to authorize council members-elect, duly elected in the first or general consolidated government election, to take office immediately after election certification if there is a vacancy in the office; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Suarez	Tullis	Wallace	Wiles
Sublette	Turnbull	Wasserman Schultz	Wilson
Thrasher	Villalobos	Waters	Wise
Trovillion			

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 841—A bill to be entitled An act relating to Cedar Hammock Fire Control District; providing for codification of special laws relating to Cedar Hammock Fire Control District pursuant to s. 191.015, F.S.; providing legislative intent; amending, codifying, and reenacting all prior special acts; providing for incorporation as a special fire control district; providing a district boundary; providing for a governing board of said district; providing for non-ad valorem assessments and impact fees; providing a schedule of non-ad valorem assessments; providing for district powers, functions and duties; amending chapter 93-352, Laws of Florida, as amended by chapter 94-373, Laws of Florida, deleting a reference to the district; providing for construction and effect; providing for repeal of chapters 57-1546, 59-1537, 59-1538, 61-2453, 65-1897, 71-759, 72-613, 72-614, 75-429, 79-507, 81-433, 82-326, 84-478, 85-450, 88-486, 89-483, and 90-454, Laws of Florida; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 202715)

Amendment 1—On page 1, line 28, through page 2, line 14 remove from the bill: all of said lines

and insert in lieu thereof:

Section 1. *Intent.*—Pursuant to section 191.015, Florida Statutes, this act constitutes the codification of all special acts relating to Cedar Hammock Fire Control District. It is the intent of the Legislature to provide a single, comprehensive special act charter for the district including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act and chapters 189 and 191, Florida Statutes, as they may be amended from time to time. It is further the intent of this act to preserve all district authority.

Section 2. *Codification.*—Chapters 57-1546, 59-1537, 59-1538, 61-2453, 65-1897, 71-759, 72-613, 72-614, 75-429, 79-507, 81-433, 82-326, 84-478, 85-450, 88-486, 89-483, and 90-454, Laws of Florida, are codified, reenacted, amended and repealed as herein provided.

Section 3. The Cedar Hammock Fire Control District is re-created and the charter is re-created and reenacted to read:

Section 1. Incorporation.—All of the unincorporated

(Renumber charter provisions)

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

On motion by Rep. Ogles, the rules were suspended and HB 841, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

The Chair	Bloom	Chestnut	Fasano
Alexander	Boyd	Constantine	Feeney
Andrews	Bradley	Cosgrove	Fiorentino
Argenio	Bronson	Crist	Flanagan
Argenziano	Brown	Crow	Frankel
Arnall	Brummer	Detert	Futch
Barreiro	Bullard	Diaz de la Portilla, R.	Garcia
Bense	Bush	Dockery	Gay
Betancourt	Byrd	Edwards	Goode
Bilirakis	Cantens	Eggelletion	Goddlette
Bitner	Casey	Farkas	Gottlieb

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

Nays—None

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

HB 865—A bill to be entitled An act relating to the Golden Gate Fire Control and Rescue District, Collier County; providing for codification of special laws regarding special districts; providing that the district is an independent special district; providing legislative intent; providing for applicability of chapters 191 and 189, F.S., and other general laws; providing a district charter; providing boundaries; providing for a district board; providing authority of the board; providing for staff; providing duties and powers of the board; providing for elections to the board; providing salary of board members; providing for removal of board members; providing for revenue raising; providing for increasing millage; providing for taxation; providing findings; providing for capital improvement impact fees; providing severability; providing for liberal construction; providing that this act shall take precedence over any conflicting law to the extent of such conflict; reenacting, amending, repealing, and codifying chapters 67-1240, 73-443, 82-284, 84-413, 85-403, 87-498, 88-503, 88-512, 88-519, 89-451, 90-435, and 91-363, Laws of Florida; providing an effective date.

—was read the second time by title.

The Committee on Finance & Taxation offered the following:

(Amendment Bar Code: 540051)

Amendment 1 (with title amendment)—On page 2, line 11 remove from the bill: 73-443

and insert in lieu thereof: 79-443

And the title is amended as follows:

On page 1, line 25 remove from the title of the bill: all of said line

and insert in lieu thereof: 79-443, 82-284, 84-413, 85-403, 87-498, 88-508,

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

The Committee on Finance & Taxation offered the following:

(Amendment Bar Code: 544675)

Amendment 2—On page 3, line 30 of the bill

after the period insert:

Township 49 South, Range 27 East, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36.

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

The Committee on Finance & Taxation offered the following:

(Amendment Bar Code: 652105)

Amendment 3—On page 6, line 8 remove from the bill: 919.005

and insert in lieu thereof: 191.005

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

On motion by Rep. Goodlette, the rules were suspended and HB 865, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

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

Nays—None

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

HB 867—A bill to be entitled An act relating to the Immokalee Fire Control District, Collier County; providing legislative intent; providing for a codification of the special laws relating to the Immokalee Fire Control District pursuant to s. 191.015, F.S.; codifying, reenacting, and amending all prior special acts; creating and establishing a fire control and rescue district as an independent district in Collier County and fixing the boundaries of the district; providing for a governing body; prescribing the powers of the board; authorizing the board to establish and maintain emergency medical services and equipment; authorizing the board to make policies, rules, regulations, and a fire code; providing for assessing and collecting taxes, assessments, impact fees, and user charges; providing that this act shall be construed liberally; providing for severability; providing for the repeal of chapters 55-30666, 57-1236, 78-490, 80-485, 87-499, 88-513, 91-368, and 98-489, Laws of Florida, as said laws relate to the district; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 869—A bill to be entitled An act relating to Cow Slough Water Control District, a special tax district of the State of Florida in Hendry and Collier Counties; codifying the District's charter, chapter 89-426, Laws of Florida, pursuant to section 189.429, Florida Statutes; providing legislative intent; amending, codifying, and reenacting all special acts relating to Cow Slough Water Control District as a single act; repealing all prior special acts related to Cow Slough Water Control District; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

The Chair	Bush	Flanagan	Johnson
Alexander	Byrd	Frankel	Jones
Andrews	Cantens	Futch	Kelly
Argenio	Casey	Garcia	Kilmer
Argenziano	Chestnut	Gay	Kosmas
Arnall	Constantine	Goode	Kyle
Barreiro	Cosgrove	Goodlette	Lacasa
Bense	Crist	Gottlieb	Lawson
Betancourt	Crow	Green, C.	Lee
Bilirakis	Detert	Greene, A.	Levine
Bitner	Diaz de la Portilla, R.	Greenstein	Littlefield
Bloom	Dockery	Hafner	Logan
Boyd	Edwards	Harrington	Lynn
Bradley	Eggelletion	Hart	Maygarden
Bronson	Farkas	Henriquez	Melvin
Brown	Fasano	Heyman	Merchant
Brummer	Feeney	Hill	Miller, J.
Bullard	Fiorentino	Jacobs	Miller, L.

Minton	Reddick	Smith, K.	Turnbull
Morrone	Ritchie	Sobel	Villalobos
Murman	Ritter	Sorensen	Wallace
Ogles	Roberts	Spratt	Wasserman Schultz
Patterson	Rojas	Stafford	Waters
Peaden	Rubio	Stansel	Wiles
Posey	Russell	Suarez	Wilson
Prieguez	Ryan	Sublette	Wise
Pruitt	Sanderson	Thrasher	
Putnam	Semler	Trovillion	
Rayson	Smith, C.	Tullis	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 871—A bill to be entitled An act relating to Big Corkscrew Island Fire Control and Rescue District, a special tax district of the State of Florida in Collier County; codifying the District charter, chapter 77-535, Laws of Florida, as amended, pursuant to section 191.015, Florida Statutes; providing legislative intent; amending, codifying, and reenacting all special acts relating to Big Corkscrew Island Fire Control and Rescue District as a single act; repealing all prior special acts relating to Big Corkscrew Island Fire Control and Rescue District; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 875—A bill to be entitled An act relating to Lee County; providing for codification of special laws regarding independent special fire control districts pursuant to chapter 97-256, Laws of Florida, relating to the Matlacha/Pine Island Fire Control District, an independent special taxing fire protection and rescue district in Lee County; providing

legislative intent; codifying, reenacting, and amending chapters 61-2409, 63-1558, 65-1827, 76-401, 79-501, 80-522, 83-451, 85-446, 89-511, and 95-464, Laws of Florida; providing status, purpose, and boundaries of the district; providing for amendment of the district charter; providing for a district governing board; specifying procedures for conducting district elections and qualifications of candidates and electors; providing for organization of the governing board; providing powers and duties of the governing board; specifying methods for assessing and collecting non-ad valorem assessments, fees, and service charges; providing for district planning requirements; specifying requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses; authorizing the board to make policies and regulations; setting the millage rate for the levy of ad valorem taxes by the district; providing for posting of surety bond; authorizing the provision of emergency ambulance service; authorizing the board to adopt an ambulance fee or service charge; providing for dissolution of the district; providing for construction of the act; providing severability; repealing chapters 61-2409, 63-1558, 65-1827, 76-401, 79-501, 80-522, 83-451, 85-446, 89-511, and 95-464, Laws of Florida; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 613747)

Amendment 1—On page 10, lines 4-31, and page 11, lines 1-14, remove from the bill: all of said lines

and insert in lieu thereof:

Section 4. Policies and regulations.—The board is authorized to make policies and regulations for the prevention of fires and for fire control within the District. Said policies and regulations, after being made by the board, shall have the force and effect as law.

Section 5. Millage rate.—The District may annually levy an ad valorem tax of up to two (2) mills on the taxable property in the district, except as provided by chapter 97-340, Laws of Florida, or chapter 191, Florida Statutes, as amended from time to time. The board shall levy and collect such ad valorem taxes in accordance with chapter 200, Florida Statutes.

Section 6. Payments made by treasurer.—All warrants for the payment of labor, equipment, and other expenses of the board, and in carrying into effect this act and the purpose thereof, shall be payable by the treasurer of the board on accounts and vouchers approved by the board.

Section 7. Posting of bond.—Each board member, upon taking office, shall execute to the Governor for the benefit of the district a bond as required by chapter 97-340, Laws of Florida, as it may be amended from time to time; premiums on said bond to be paid out of district funds.

Section 8. Provision of emergency ambulance service.—The Fire Control Board of the District shall have the right, power, and authority to buy, own, operate, and maintain an emergency ambulance service within the District, and shall have the right, power, and authority to levy non-ad valorem assessments upon certain properties located within the district pursuant to applicable general law.

Section 9. Ambulance service fees.—The Fire Control Board shall have the right, power, and authority to adopt a fee or service charge for ambulance service paid by the user, in accordance with this act, chapter 97-340, Laws of Florida or chapter 191, Florida Statutes. The fee, charge, or rate therefor may be fixed by a resolution of the Fire Control Board at a regular meeting of said Board, or in the same manner, the rate or charge may be changed or abolished.

Section 10. Dissolution.—The District may be dissolved pursuant to the terms of Chapter 97-340, Laws of Florida and chapters 189 and 191, Florida Statutes, as they may be amended from time to time.

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

On motion by Rep. C. Green, the rules were suspended and HB 875, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

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

Nays—None

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

HB 877—A bill to be entitled An act relating to the San Carlos Park Fire Protection and Rescue Service District, Lee County; reenacting and codifying chapters 76-411, 80-521, 84-469, s. 7 of chapter 87-447, s. 1(5) of chapter 88-545, and chapters 89-494, 94-457, 95-463, 96-458, and 97-320, Laws of Florida, relating to the San Carlos Park Fire Protection and Rescue Service District, pursuant to s. 191.015, F.S.; providing legislative intent; providing the status, purpose, and boundaries of the district; providing for charter amendments; providing for a governing board; providing for powers and duties; providing for compensation and bonds; providing authority to levy ad valorem assessments; providing authority to establish policies and regulations; providing for a fire code; providing construction and effect; providing for conflicts; repealing all prior special acts relating to the district; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

The Chair	Bilirakis	Bush	Detert
Alexander	Bitner	Byrd	Diaz de la Portilla, R.
Andrews	Bloom	Cantens	Dockery
Argenio	Boyd	Casey	Edwards
Argenziano	Bradley	Chestnut	Eggelletion
Arnall	Bronson	Constantine	Farkas
Barreiro	Brown	Cosgrove	Fasano
Bense	Brummer	Crist	Feeney
Betancourt	Bullard	Crow	Fiorentino

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 927—A bill to be entitled An act relating to the Captiva Erosion Prevention District; codifying and reenacting the district's charter, chapter 71-730, Laws of Florida, as amended; providing legislative intent; validating the district as a beach and shore preservation authority under the provisions of chapter 161, Florida Statutes; providing definitions; defining the boundaries of the district; providing for the general powers of the district; providing for the election of the district governing board; providing for a district beach and shore preservation program; providing for benefit categories or zones; providing for the levy and collection of ad valorem taxes on all taxable property within the district; providing for issuance of general obligation bonds; providing for the levy of special assessments against land specially benefitted within the district; providing for the issuance of bonds and other evidence of indebtedness with referendum approval; providing for refunding bonds; providing for additional power to contract; providing for severability; providing for effect in cases of conflict; providing for repeal of prior special acts relating to the Captiva Erosion Prevention District; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

The Chair	Cantens	Gay	Lacasa
Alexander	Casey	Goode	Lawson
Andrews	Chestnut	Goodlette	Lee
Argenio	Constantine	Gottlieb	Levine
Argenziano	Cosgrove	Green, C.	Littlefield
Arnall	Crist	Greene, A.	Logan
Barreiro	Crow	Greenstein	Lynn
Bense	Detert	Hafner	Maygarden
Betancourt	Diaz de la Portilla, R.	Harrington	Melvin
Bilirakis	Dockery	Hart	Merchant
Bitner	Edwards	Henriquez	Miller, J.
Bloom	Eggelletion	Heyman	Miller, L.
Boyd	Farkas	Hill	Minton
Bradley	Fasano	Jacobs	Morrone
Bronson	Feeney	Johnson	Murman
Brown	Fiorentino	Jones	Ogles
Brummer	Flanagan	Kelly	Patterson
Bullard	Frankel	Kilmer	Peaden
Bush	Futch	Kosmas	Posey
Byrd	Garcia	Kyle	Prieguez

Pruitt	Russell	Stafford	Wallace
Putnam	Ryan	Stansel	Wasserman Schultz
Rayson	Sanderson	Suarez	Waters
Reddick	Semler	Sublette	Wiles
Ritchie	Smith, C.	Thrasher	Wilson
Ritter	Smith, K.	Trovillion	Wise
Roberts	Sobel	Tullis	
Rojas	Sorensen	Turnbull	
Rubio	Spratt	Villalobos	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 963—A bill to be entitled An act relating to Manatee County; creating and establishing an independent special fire control district to be known as the West Manatee Fire and Rescue District; providing purpose of the district; providing powers, functions, and duties; providing for establishment of the district; providing for amending the charter of the district; providing for the membership and organization of the governing body of the district; providing for maximum compensation of a governing board member; providing administrative duties of the district; providing applicable financial disclosure, noticing, and reporting requirements of the district; providing authority to issue, and the procedures for issuing, bonds by the district; providing for district elections or referenda and the qualifications of an elector; providing for financing the district; providing authority to levy ad valorem taxes and the maximum millage rate that is authorized therefor; providing for collecting non-ad valorem assessments, fees, or service charges; providing requirements for comprehensive and long-range planning; establishing the geographic boundaries of the district; providing a schedule of special assessments; providing for impact fees; providing for transfer of the assets and liabilities of the existing districts to the West Manatee Fire and Rescue District; providing for repeal of all acts relating to the Anna Maria Fire Control District and the Westside Fire Control District, including chapter 25994, Laws of Florida, 1949, chapter 27696, Laws of Florida, 1951, chapters 29263 and 29264, Laws of Florida, 1953, and chapters 59-1535, 59-1536, 61-2445, 65-1896, 65-1898, 72-610, 75-427, 75-433, 79-510, 81-427, 81-434, 82-324, 83-458, 84-476, 84-479, 85-455, 85-460, 88-487, 90-456, 90-459, 91-414, and 94-373, Laws of Florida; providing for severability; providing for interpretation; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 045203)

Amendment 1 (with title amendment)—

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

Section 1. The Anna Maria Fire Control District and the Westside Fire Control District are hereby merged to create the West Manatee Fire and Rescue District.

Section 2. The West Manatee Fire and Rescue District and its charter is created to read:

Section 1. Creation; boundaries.—Upon this act becoming a law, all of the following lands in Manatee County shall be incorporated as an independent special fire control district, which shall be a public municipal corporation for the public benefit, with perpetual existence, to be known as the West Manatee Fire and Rescue District in which name it may sue and be sued, leased, own, possess, and convey real and personal property, by purchase or gift or otherwise, in order to carry out the purposes of this act. The lands so incorporated shall include the following:

(1) All of Anna Maria Island in Manatee County, Florida, and the unincorporated village of Cortez, Florida, and the adjoining area bounded on the north by Palma Sola Bay, on the east by the range line between Ranges 16 East and 17 East, and on the south by Sarasota Bay; and

(2) All that part of Manatee County, Florida lying west of the City of Bradenton, Florida, as now constituted or hereinafter expanded, being presently 34th Street West, the section line dividing Sections 33 and 28 from Section 34 and 27, Township 34 South, Range 17 East; south of the Manatee River; north of Cedar Hammock Fire Control District being 26th Avenue West. The township line dividing township 34 South from 35 South: and being bounded on the west by Palma Sola Bay, Tampa Bay and the Manatee River, to include Perico Island.

Section 2. Purposes of the District.—The purposes of the West Manatee Fire and Rescue District is to provide for greater uniformity, communication and coordination in performing fire suppression and related activities within the jurisdictional boundaries of the District in order to benefit the public health, safety, and welfare; and to effectively achieve the purposes set forth for independent special fire control districts pursuant to Chapter 191, Florida Statutes, as same may be amended from time to time.

Section 3. Definitions.—

(1) "Board" means the governing board of the West Manatee Fire Control District.

(2) "District" means the West Manatee Fire Control District, an independent special fire control district as defined in s. 189.403, Florida Statutes.

(3) "Elector" means a person who is a resident of the West Manatee Fire Control District and is qualified to vote in a general election within Manatee County.

(4) "Emergency medical service" means basic and advanced life support service as defined in s. 401.23, Florida Statutes.

(5) "Rescue response service" means an initial response to an emergency or accident situation, including, but not limited to, a plane crash, a trench or building collapse, a swimming or boating accident, or a motor vehicle accident.

Section 4. District board of commissioners; membership, terms of office, officers, meetings.—The district board of commissioners shall conduct and administer the business affairs of the district through a five-member board which shall be elected in nonpartisan elections by the electors of the district for a term of four (4) years, and each member shall serve until the member's successor assumes office. A member of the board shall be a resident of the district and a citizen of the United States. No district board member shall be a paid employee of the district, and each board member shall continue to meet all qualifications to hold office continually through his or her term. Members of the district board shall take office at the same time as do county officers, being the second Tuesday following the general election in November. The board of commissioners shall be established and elected, and shall operate, organize and function in accordance with the provisions of section 191.005, Florida Statutes. The office of each member of the board is designated as being a seat, distinguished from each of the other seats of the board by a numeral; 1, 2, 3, 4 or 5. The numerical seat designation does not reflect a geographical subdistrict or area of the district, but each candidate for a seat on the board shall designate, at the time the candidate qualifies, the seat for which the candidate is qualifying. The election for each seat shall be at-large within the district. The initial board of commissioners, until successors are elected and assume office, shall consist of the officials who are then holding elected office as a district board member for seats 1, 4 and 5 on the West Side Fire Control District and seats 2 and 3 on the Anna Maria Fire Control District as of the date immediately preceding the effective day of this act. The commissioners holding seat 1 and 5 from West Side Fire Control District and the commissioner hold seat 2 from the Anna Maria Fire Control District shall have initial terms of four (4) years, with their terms expiring in November, 2004, as provided in this section. The commissioner holding seat 4 from the West Side Fire Control District and the commissioner holding seat 3 from the Anna Maria Fire Control District shall have initial terms of two (2) years, with their terms expiring in November, 2002, as provided in this section. The foregoing provisions establish an initial board having three (3) commissioners, each with a

four (4) year term, and two (2) commissioners, each with a two (2) year term, thereby establishing staggered terms for the board on the effective date of this act.

Section 5. Board compensation.—The members of the district board shall receive a compensation not to exceed five hundred dollars (\$500) per month for each board member, as provided in section 191.005(4), Florida Statutes.

Section 6. Procedures for conducting elections.—The procedures for conducting any district election or referendum are as provided in section 191.005, Florida Statutes, and as otherwise provided by general law. To qualify as an elector of the district, a person must be a resident of the district and a citizen of the United States, and shall meet such other qualifications as provided in section 191.005, Florida Statutes, or as otherwise provided by general law.

Section 7. District Board, administrative duties.—The administrative duties of the governing board are as provided in section 191.005, Florida Statutes, as same may be amended.

Section 8. Financial disclosure, noticing and reporting requirements.—The district and the board shall have those financial disclosure, noticing, and reporting requirements as provided by general law and made applicable to said board members and independent fire control districts within the state.

Section 9. Powers, functions, and duties of the district.—The district shall have, and the district board of commissioners may exercise by a majority vote, all of the following powers, including, but not limited to, the powers to sue and be sued in the name of the district; make and execute contracts and other instruments; provide pension and retirement plans; provide for extra compensation programs; contract for services; borrow money; adopt resolutions and procedures prescribing the powers, duties and functions of the officers of the district; acquire by all lawful means both real and personal property; purchase equipment by installment sales contracts, enter into leases; borrow money and issue bonds; charge user and impact fee; assess and impose on real property of the district both ad valorem taxes and non ad valorem assessments; prepare and implement budgets; establish liens and foreclose thereon, establish and maintain emergency medical and rescue response services, and any and all other general powers as provided for in section 191.006, Florida Statutes, and special powers as provided for in section 191.008, Florida Statutes, as same may be amended.

Section 10. Financing of the district.—The methods for financing the district shall be as provided in chapter 191, Florida Statutes, as same be amended, and as provided by other general law applicable to independent special districts.

Section 11. Levy of ad valorem taxes and millage rate authorized.—The district board may levy and assess ad valorem taxes on all taxable property in the district for any and all operating purposes, exclusive of debt service on bonds, in a millage amount not to exceed 3.75 mills, pursuant to the provisions of section 191.009, Florida Statutes, as same be amended.

Section 12. Collection of non-ad valorem assessments, fees or services charges.—The district is hereby authorized to utilize any method or methods for collecting non-ad valorem assessments, fees, impact fees, or service charges as provided in chapter 191, Florida Statutes, as the same may be amended, or as otherwise provided by general law.

Section 13. Schedule of special assessments.—The provisions regarding assessment procedures as set forth above, represents the method to be followed by the district regarding any subsequent establishment or increase in special assessments for the district. Upon the effective date of this act, but in no way limiting the ability of the district board to increase special assessments as necessary in keeping with this charter, for assessment purposes, all property within the district is divided into three general classifications: vacant parcels, residential parcels, and commercial/industrial parcels.

(1) Vacant parcels shall include all parcels which are essentially undeveloped. The annual assessment for these parcels shall be as follows:

(a) A vacant platted lot, \$25 per lot.

(b) Unsubdivided acreage, \$25 per acre or fraction thereof; and,

(c) A vacant commercial and industrial parcel shall be assessed as a platted lot or unsubdivided acreage, as applicable. Whenever a residential unit is located on a parcel defined herein as vacant, the residential plot shall be considered as one lot or one acre, with the balance of the parcel being assessed as vacant land in accordance with the schedule herein. When a agricultural or commercial building or structure is located on a parcel defined herein as vacant, the building or structure shall be assessed in accordance with the schedule of commercial/industrial assessments.

(2) Residential parcels include all parcels which are developed for residential purposes. All residential parcels shall be assessed by the number and square-footage size of dwelling units per parcel. Surcharges may be assigned by the district for dwelling units located on the third or higher floors. The annual assessment for these parcels shall be as follows:

(a) A single family residential parcel shall be assessed on a square footage basis for each dwelling unit at \$125 for the first 1,000 square feet in the dwelling unit, and all square footage above 1,000 square feet shall be charged at a rate of \$0.075 per additional square foot.

(b) A parcel for residential condominium use shall be assessed on a square-footage basis for each dwelling unit \$125 for the first 1,000 square feet in the dwelling unit, and all square-footage above 1,000 square feet shall be charged at a rate of \$0.075 per additional square foot.

(c) A mobile home shall be assessed at \$125 per dwelling unit;

(d) A duplex, multi-family residential, cooperative, retirement home and any miscellaneous residential-use parcel shall be assessed on a square-footage basis for each dwelling unit at \$125 for the first 1,000 square feet in the dwelling unit, and all square-footage above 1,000 square feet shall be charged at a rate of \$0.075 per additional square foot.

(e) Any other residential unit, including, but not limited, to the residential portions of mixed-use parcels and travel trailer units or parks shall be assessed \$125 per dwelling unit or available rental space, as applicable.

(3) Commercial/industrial parcels shall include all other developed parcels which are not included in the residential categories as defined in subsection (2). Each commercial/industrial parcel shall be assessed on a square footage basis for each building and structure in accordance with the following schedule:

(a) The base assessment for each building or structure shall be \$300 for the first 1,000 square feet and all square footage above 1,000 square feet, shall be charged at a rate of \$0.125 per additional square foot.

(b) Whenever a parcel is classified for multiple-hazard use, the district may vary the assessment in accordance with actual categories.

Section 14. Impact Fees.—

(1) It is hereby established and determined that the district is comprised of one of the fastest-growing areas of Manatee County, which is also experiencing one of the highest growth rates in the state. New construction and the resulting population growth will place a strain upon the capabilities of the district to provide the high level of professional fire protection and emergency service for which the residents of the district deserve and for which they pay.

(2) It is hereby declared that the cost of the new facilities for fire protection and emergency service shall be borne by new users of the district's services to the extent new construction requires new facilities, but only to that extent. It is the legislative intent to transfer to the new user of the district's fire protection and emergency services a fare share of the cost that new users impose on the district for new facilities.

(3) It is hereby declared that the amounts of the impact fees provided for in this section are just, reasonable and equitable.

(4) No person or local governmental jurisdiction within the district shall issue or obtain a building permit for a new residential dwelling

unit or a new non-residential structure within the district, or issue or obtain construction-plan approval for a new mobile home park development or a new recreational or travel trailer park development located within the district, until the applicant or developer thereof has paid his or her applicable impact fee to the district as follows: for each new residential dwelling unit, \$100; for each new non-residential structure, \$200 up to 5,000 square feet and \$200 plus \$0.05 per square foot for each square foot over 5,000 square feet for a structure 5,000 square feet or over; for a new mobile home park development or a new recreational or travel trailer park development, \$25 per lot or permitted space.

(5) The impact fees collected by the district pursuant to this section shall be kept as a separate fund from other revenues of the district and shall be used exclusively for the acquisition, purchase, or construction of new facilities or portions thereof required to provide fire protection and emergency service to new construction. "New facilities" shall mean real property, buildings, and capital equipment, including, but not limited to, fire and emergency vehicles and radio-telemetry equipment. Impact fees shall not be used for the acquisition, purchase, or construction of facilities which are or necessary to serve existing development, nor shall impact fees be used for maintenance of existing facilities. The district board shall maintain adequate records to ensure that impact fees are expended only for permissible purposes.

(6) Evidence of payment to the district of the impact fee for new development shall be presented to the applicable local governmental unit within the district before a certificate of occupancy is issued.

Section 15. Issuance of bonds and procedures.—The district may issue general obligation bonds, assessment bonds, revenue bonds, notes, bond anticipation notes, or other evidences of indebtedness to finance all or a part of any proposed improvements authorized pursuant to this act, or under general or other special law, provided that the total annual payments for the principal and interest of such indebtedness shall not exceed 50% of the total annual budgeted revenues of the district. The procedures and requirements for issuing bonds shall be provided in section 191.012, Florida Statutes, as may be amended, and as otherwise provided by applicable general law.

Section 16. Exemption from Taxation.—The assets and properties of the district are exempt from all taxes imposed by the state or any political subdivision, agency, or instrumentality of the state or any political subdivision, agency, or instrumentality of the state, pursuant to section 191.007, Florida Statutes.

Section 17. Establishing the district.—The district shall be established by the adoption of this charter by the Legislature and in adherence to the provisions set forth in section 189.404, Florida Statutes, and under the authority of chapter 191, Florida Statutes.

Section 18. Amending the charter.—The charter of the district shall be amended only by special act of the Legislature.

Section 19. District planning.—The district board shall provide for, coordinate with, and participate in short-range and long-range planning with Manatee County and other local governments in order to meet the demands for service delivery while maintaining the fiscal responsibility of the district. Additionally, the district shall have the authority, as provided in section 191.013, Florida Statutes, to participate in intergovernmental coordination activities as may be beneficial to the district and necessary for the protection of the public health, safety and welfare.

Section 3. Transfer of the assets and liabilities of the existing districts to the new created District.—The existing assets and liabilities of the Anna Maria Fire Control District and the West Side Fire Control District are, upon the effect date of this act, transferred to the West Manatee Fire and Rescue District.

Section 4. Repeal of special acts.—Upon the effective date of this act, chapter 25994, Laws of Florida, 1949, chapter 27696, Laws of Florida, 1951, chapter 29263, Laws of Florida, 1953, chapter 29264, Laws of Florida, 1953, and 59-1535, chapters 59-1536, 61-2445, 65-1896, 65-1898, 72-610, 75-427, 75-433, 79-510, 81-427, 81-434, 82-324, 83-458,

84-476, 84-479, 85-455, 85-460, 88-487, 90-456, 90-459, 91-414 and 94-373, Laws of Florida, are repealed.

Section 5. Severability.—If any clause, section or provision of this act is declared to be unconstitutional or invalid for any cause or reason, the same shall be eliminated from this act, and the remaining portion of said act shall be in force and effect and be as valid as if such invalid portion thereof had not been incorporated therein.

Section 6. Interpretation.—The provisions of this act shall be liberally construed in order to effectively carry out the public purpose of this act in the best interest of the public health, safety and welfare.

Section 7. Effective date.—This act and the charter for the West Manatee Fire and Rescue District shall take effect upon becoming a law.

And the title is amended as follows:

Beginning on page 1 line 2 through page 2, line 14, remove from the title of the bill: all of said lines

and insert in lieu thereof: An act relating to Manatee County; merging the Anna Maria Fire Control District and Westside Fire Control District to create a new district; creating and establishing an independent special fire control district to be known as the West Manatee Fire and Rescue District; establishing boundaries; providing purpose of the district; providing definitions; providing for the membership and organization of the governing body of the district; providing for maximum compensation of a governing board member; providing for district elections or referenda and the qualifications of an elector; providing administrative duties of the district; providing applicable financial disclosure, noticing, and reporting requirements of the district; providing powers, functions, and duties; provides for financing the district; provides authority to levy ad valorem taxes and maximum millage that is authorized therefor; providing for collecting non-ad valorem assessments, fees, or service charges; providing a schedule of special assessments; providing for impact fees; providing authority to issue, and the procedures for issuing, bonds by the district; provides exemption from taxation; providing for the establishment of the district; providing for amending the charter of the district; providing for district planning; providing for transfer of the assets and liabilities of the existing districts to the West Manatee Fire and Rescue District; providing for repeal of all acts relating to the Anna Maria Fire Control District and the Westside Fire Control District, including chapter 25994, Laws of Florida, 1949, chapter 27696, Laws of Florida, 1951, chapters 29263 and 29264, Laws of Florida, 1953, and chapters 59-1535, 59-1536, 61-2445, 65-1896, 65-1898, 72-610, 75-427, 75-433, 79-510, 81-427, 81-434, 82-324, 83-458, 84-476, 84-479, 85-455, 85-460, 88-487, 90-456, 90-459, 91-414, and 94-373, Laws of Florida; providing for severability; providing for interpretation; providing an effective date.

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

On motion by Rep. Ogles, the rules were suspended and HB 963, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

The Chair	Brown	Edwards	Greene, A.
Alexander	Brummer	Eggelletion	Greenstein
Andrews	Bullard	Farkas	Hafner
Argenio	Bush	Fasano	Harrington
Argenziano	Byrd	Feeney	Hart
Arnall	Cantens	Fiorentino	Henriquez
Barreiro	Casey	Flanagan	Heyman
Bense	Chestnut	Frankel	Hill
Betancourt	Constantine	Futch	Jacobs
Bilirakis	Cosgrove	Garcia	Johnson
Bitner	Crist	Gay	Jones
Bloom	Crow	Goode	Kelly
Boyd	Detert	Goodlette	Kilmer
Bradley	Diaz de la Portilla, R.	Gottlieb	Kosmas
Bronson	Dockery	Green, C.	Kyle

Lacasa	Murman	Rubio	Thrasher
Lawson	Ogles	Russell	Trovillion
Lee	Patterson	Ryan	Tullis
Levine	Peaden	Sanderson	Turnbull
Littlefield	Posey	Sembler	Villalobos
Logan	Prieguez	Smith, C.	Wallace
Lynn	Pruitt	Smith, K.	Wasserman Schultz
Maygarden	Putnam	Sobel	Waters
Melvin	Rayson	Sorensen	Wiles
Merchant	Reddick	Spratt	Wilson
Miller, J.	Ritchie	Stafford	Wise
Miller, L.	Ritter	Stansel	
Minton	Roberts	Suarez	
Morrone	Rojas	Sublette	

Nays—None

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

HB 967—A bill to be entitled An act relating to Manatee County; authorizing and empowering the Board of County Commissioners of Manatee County to provide for the collection and disposal of garden trash, to impose monthly collection service charges on all improved real property, and to grant franchises therefor in unincorporated communities; authorizing the board to prescribe and collect fees therefor; authorizing the board to adopt rules and regulations and create districts for such purposes; revising provisions relating to filing of applications for franchises with the board; providing for forfeitures, penalties, and violations; requiring persons, firms, or corporations to whom franchises are granted to give performance bond; providing for manner and consideration for granting franchises; repealing chapter 85-457, Laws of Florida, relating to the collection and disposal of solid waste and junk; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Wasserman Schultz	Wiles	Wilson	Wise
Waters			

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 971—A bill to be entitled An act relating to Palm Beach County; providing for codification of special laws regarding special districts pursuant to Chapter 189, Florida Statutes, relating to the Palm Beach County Library District, a dependent special taxing district in Palm Beach County; amending, codifying, and repealing chapters 67-1869, 76-460, and 86-431, Laws of Florida; ratifying and confirming the creation and establishment of the Palm Beach County Library District; providing definitions; providing for a library advisory board; providing operating rules and procedures; providing for budget and reports; providing for contractual service; providing for title of library to be in county; providing for receipt of gifts and bequests; providing for taxation and contracts; providing for a county library fund; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 774147)

Amendment 1—On page 3, remove from the bill: line 22

and insert in lieu thereof: *of at least seven (7) and not more than fifteen (15) citizens of the district, and*

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

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 703329)

Amendment 2—On page 6, remove from the bill: lines 11-12

and insert in lieu thereof: *(5) Upon approval of a majority of the voters of the district voting, the commission shall levy the voter approved millage*

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

On motion by Rep. Jacobs, the rules were suspended and HB 971, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

The Chair	Casey	Goodlette	Levine
Alexander	Chestnut	Gottlieb	Littlefield
Andrews	Constantine	Green, C.	Logan
Argenio	Cosgrove	Greene, A.	Lynn
Argenziano	Crist	Greenstein	Maygarden
Arnall	Crow	Hafner	Melvin
Barreiro	Detert	Harrington	Merchant
Bense	Diaz de la Portilla, R.	Hart	Miller, J.
Betancourt	Dockery	Henriquez	Miller, L.
Bilirakis	Edwards	Heyman	Minton
Bitner	Eggelleton	Hill	Morrone
Bloom	Farkas	Jacobs	Murman
Boyd	Fasano	Johnson	Ogles
Bradley	Feeney	Jones	Patterson
Bronson	Fiorentino	Kelly	Peaden
Brown	Flanagan	Kilmer	Posey
Brummer	Frankel	Kosmas	Prieguez
Bullard	Futch	Kyle	Pruitt
Bush	Garcia	Lacasa	Putnam
Byrd	Gay	Lawson	Rayson
Cantens	Goode	Lee	Reddick

Ritchie	Sembler	Suarez	Wasserman Schultz
Ritter	Smith, C.	Sublette	Waters
Roberts	Smith, K.	Thrasher	Wiles
Rojas	Sobel	Trovillion	Wilson
Rubio	Sorensen	Tullis	Wise
Russell	Spratt	Turnbull	
Ryan	Stafford	Villalobos	
Sanderson	Stansel	Wallace	

Nays—None

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

HB 985—A bill to be entitled An act relating to Lehigh Acres Fire Control and Rescue District, Lee County; providing legislative intent; providing for codification of the special acts relating to the district pursuant to s. 191.015, F.S.; codifying, reenacting, and amending all prior special acts; re-creating the district; correcting district boundaries; providing status as an independent special district and purpose; providing for amendment of the charter; providing for election of the governing board; providing for officers and powers; providing for ad valorem taxation and non-ad valorem assessments; providing planning requirements; providing for annual review of user fees for emergency medical services; providing for policies and regulations; providing for public disclosure; authorizing per diem; providing for the budget; revising provisions relating to taxing authority, assessment and collection of taxes, financing, tax collector's responsibility, expenses, treasurer's bond, and financial reports; providing for liberal construction; repealing all prior special acts relating to the district; providing severability; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 987—A bill to be entitled An act relating to Polk County; amending chapter 8378, Laws of Florida, 1919, as amended; revising the law relating to the Lake Region Lakes Management District; expanding the territorial boundaries of the district; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1197—A bill to be entitled An act relating to Lee County and the City of Fort Myers; amending section 4, chapter 98-488, Laws of Florida; providing for an alternative annexation referendum in certain enclaves only; providing for separate vote on an interlocal agreement by electors in the city and electors in certain enclave areas proposed to be annexed; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 803699)

Amendment 1 (with title amendment)—On page 1, lines 19-22, remove from the bill: all of said lines

and insert in lieu thereof: referendum shall be held by the city ~~in the City of Fort Myers and~~ within the proposed, described enclave areas to be annexed, or at the election of the city, in the city of Fort Myers and within the proposed, described enclave areas to be annexed, for the ratification and

And the title is amended as follows:

On page 1, line 4, remove from the title of the bill: alternative

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

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 811795)

Amendment 2 (with title amendment)—On page 2, lines 5-8, remove from the bill: all of said lines

and insert in lieu thereof: ~~registered electors of the City of Fort Myers and a majority of the votes cast by the~~ combined registered electors residing in both the “Dunbar” and “Belle Vue” areas, *or if the city elects to submit the interlocal agreement to a separate vote of the registered voters residing within the city, upon a majority vote of the electors of the City of Fort Myers and a majority vote by the combined electors residing in both “Dunbar” and “Belle Vue” areas, the*

And the title is amended as follows:

On page 1, between lines 5 and 6,

insert: allowing city the option to hold a referendum in the City of Fort Myers;

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

On motion by Rep. C. Green, the rules were suspended and HB 1197, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

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

Nays—None

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

HB 1445—A bill to be entitled An act relating to the Barron Water Control District of Glades and Hendry Counties; extending the corporate life of the district until midnight September 30, 2020; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1495—A bill to be entitled An act relating to Acme Improvement District, Palm Beach County; amending chapter 28557, Laws of Florida, 1953, as amended; expanding the boundaries of said district, including transferring land from the Lake Worth Drainage District to the Acme Improvement District; amending chapter 98-525, Laws of Florida, re-creating the Lake Worth Drainage District; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

The Chair	Cantens	Gay	Lacasa
Alexander	Casey	Goode	Lawson
Andrews	Chestnut	Goodlette	Lee
Argenio	Constantine	Gottlieb	Levine
Argenziano	Cosgrove	Green, C.	Littlefield
Arnall	Crist	Greene, A.	Logan
Barreiro	Crow	Greenstein	Lynn
Bense	Detert	Hafner	Maygarden
Betancourt	Diaz de la Portilla, R.	Harrington	Melvin
Bilirakis	Dockery	Hart	Merchant
Bitner	Edwards	Henriquez	Miller, J.
Bloom	Eggelletion	Heyman	Miller, L.
Boyd	Farkas	Hill	Minton
Bradley	Fasano	Jacobs	Morrone
Bronson	Feeney	Johnson	Murman
Brown	Fiorentino	Jones	Ogles
Brummer	Flanagan	Kelly	Patterson
Bullard	Frankel	Kilmer	Peaden
Bush	Futch	Kosmas	Posey
Byrd	Garcia	Kyle	Prieguez

Pruitt	Russell	Stafford	Wallace
Putnam	Ryan	Stansel	Wasserman Schultz
Rayson	Sanderson	Suarez	Waters
Reddick	Semler	Sublette	Wiles
Ritchie	Smith, C.	Thrasher	Wilson
Ritter	Smith, K.	Trovillion	Wise
Roberts	Sobel	Tullis	
Rojas	Sorensen	Turnbull	
Rubio	Spratt	Villalobos	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1595—A bill to be entitled An act relating to the South Indian River Water Control District, Palm Beach County; amending chapter 71-820, Laws of Florida, as amended; authorizing the Board of Supervisors of the South Indian River Water Control District to receive and maintain real and personal property for recreational purposes for land within the District lying East of Canal 18 of the South Florida Water Management District only; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

Local Bill Contested

Pursuant to Rule 126(b)(1), consideration of **HB 1627** was contested.

HB 1685—A bill to be entitled An act relating to the Alva Fire Protection and Rescue Service District, Lee County; providing legislative intent; providing for codification of the special laws relating to the Alva Fire Protection and Rescue Service District pursuant to s. 191.015, F.S.; codifying, reenacting, and amending all prior special acts; creating and establishing a fire control and rescue district as an

independent district in Lee County and fixing the boundaries of the district; providing for a governing body; prescribing the powers of the board; authorizing the board to establish and maintain emergency medical services and equipment; authorizing the board to make policies, rules, regulations, and a fire code; providing for assessing and collecting taxes, assessments, impact fees, and user charges; providing that this act shall be construed liberally; providing for severability; providing for the repeal of chapters 76-413, 81-414, 83-449, 83-454, 87-447, 88-545, and 90-388, Laws of Florida, as said laws relate to the district; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 945349)

Amendment 1—On page 5, lines 6-9, remove from the bill: all of said lines

and insert in lieu thereof:

Section 5. *Chapters 76-413, 81-414, 83-449, 83-454, 87-447, 88-545 and 90-388, Laws of Florida, are repealed.*

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

On motion by Rep. C. Green, the rules were suspended and HB 1685, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

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

Nays—None

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

HB 1689—A bill to be entitled An act relating to the City of Pompano Beach, Broward County; providing for the extending and enlarging of the corporate limits of the City of Pompano Beach to include specified unincorporated lands within said city; establishing the effective date of annexation; providing an effective date.

—was read the second time by title.

DESCRIPTION

The Committee on Community Affairs offered the following:

That portion of Sections 14, 15, 16, 17, 20, 21, 22, and 23, Township 48 South, Range 42 East, Broward County, Florida, described as follows:

(Amendment Bar Code: 970087)

Amendment 1—On page 1, line 16, remove from the bill: all of said line

Beginning at the intersection of the South line of the Southeast quarter of said Section 22 with the Easterly right-of-way line of the Seaboard Coastline Railroad;

and insert in lieu thereof: 30, Township 48 South, Range 43 East, Broward County, Florida,

thence Westerly along said South line of the

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

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

On motion by Rep. Wasserman Schultz, the rules were suspended and HB 1689, as amended, was read the third time by title. On passage, the vote was:

On motion by Rep. Wasserman Schultz, the rules were suspended and HB 1693, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Session Vote Sequence: 111

Yeas—113

Yeas—113

Table with 4 columns: The Chair, Dockery, Kosmas, Rojas. Lists names of representatives including Alexander, Edwards, Kyle, Rubio, Andrews, Eggleton, Lacasa, Russell, Argenio, Farkas, Lawson, Ryan, Argenziano, Fasano, Lee, Sanderson, Arnall, Feeney, Levine, Sembler, Barreiro, Fiorentino, Littlefield, Smith, C., Bense, Flanagan, Logan, Smith, K., Betancourt, Frankel, Lynn, Sobel, Bilirakis, Futch, Maygarden, Sorensen, Bitner, Garcia, Melvin, Spratt, Bloom, Gay, Merchant, Stafford, Boyd, Goode, Miller, J., Stansel, Bradley, Goodlette, Miller, L., Suarez, Bronson, Gottlieb, Minton, Sublette, Brown, Green, C., Morroni, Thrasher, Brummer, Greene, A., Murman, Trovillion, Bullard, Greenstein, Ogles, Tullis, Bush, Hafner, Patterson, Turnbull, Byrd, Harrington, Peaden, Villalobos, Cantens, Hart, Posey, Wallace, Casey, Henriquez, Prieguez, Wasserman Schultz, Chestnut, Heyman, Pruitt, Waters, Constantine, Hill, Putnam, Wiles, Cosgrove, Jacobs, Rayson, Wilson, Crist, Johnson, Reddick, Wise, Crow, Jones, Ritchie, Detert, Kelly, Ritter, Diaz de la Portilla, R., Kilmer, Roberts.

Table with 4 columns: The Chair, Dockery, Kosmas, Rojas. Lists names of representatives including Alexander, Edwards, Kyle, Rubio, Andrews, Eggleton, Lacasa, Russell, Argenio, Farkas, Lawson, Ryan, Argenziano, Fasano, Lee, Sanderson, Arnall, Feeney, Levine, Sembler, Barreiro, Fiorentino, Littlefield, Smith, C., Bense, Flanagan, Logan, Smith, K., Betancourt, Frankel, Lynn, Sobel, Bilirakis, Futch, Maygarden, Sorensen, Bitner, Garcia, Melvin, Spratt, Bloom, Gay, Merchant, Stafford, Boyd, Goode, Miller, J., Stansel, Bradley, Goodlette, Miller, L., Suarez, Bronson, Gottlieb, Minton, Sublette, Brown, Green, C., Morroni, Thrasher, Brummer, Greene, A., Murman, Trovillion, Bullard, Greenstein, Ogles, Tullis, Bush, Hafner, Patterson, Turnbull, Byrd, Harrington, Peaden, Villalobos, Cantens, Hart, Posey, Wallace, Casey, Henriquez, Prieguez, Wasserman Schultz, Chestnut, Heyman, Pruitt, Waters, Constantine, Hill, Putnam, Wiles, Cosgrove, Jacobs, Rayson, Wilson, Crist, Johnson, Reddick, Wise, Crow, Jones, Ritchie, Detert, Kelly, Ritter, Diaz de la Portilla, R., Kilmer, Roberts.

Nays—None

Nays—None

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

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

HB 1693—A bill to be entitled An act relating to the City of Pompano Beach, Broward County; providing for the extending and enlarging of the corporate limits of the City of Pompano Beach to include specified unincorporated lands within said city; establishing the effective date of annexation; providing an effective date.

HB 1695—A bill to be entitled An act relating to the City of Deerfield Beach, Broward County; extending and enlarging the corporate limits of the City of Deerfield Beach to include specified unincorporated lands within said corporate limits; providing an effective date.

—was read the second time by title.

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

The Committee on Community Affairs offered the following:

Session Vote Sequence: 111

(Amendment Bar Code: 130039)

Amendment 1—On page 1, lines 15 through 30, remove from the bill: all of said lines

Yeas—113

and insert in lieu thereof: presently within its corporate limits, the area particularly described as follows:

Table with 4 columns: The Chair, Arnall, Bitner, Brown. Lists names of representatives including Alexander, Barreiro, Bloom, Brummer, Andrews, Bense, Boyd, Bullard, Argenio, Betancourt, Bradley, Bush, Argenziano, Bilirakis, Bronson, Byrd.

Cantens	Green, C.	Melvin	Sembler
Casey	Greene, A.	Merchant	Smith, C.
Chestnut	Greenstein	Miller, J.	Smith, K.
Constantine	Hafner	Miller, L.	Sobel
Cosgrove	Harrington	Minton	Sorensen
Crist	Hart	Morrone	Spratt
Crow	Henriquez	Murman	Stafford
Detert	Heyman	Ogles	Stansel
Diaz de la Portilla, R.	Hill	Patterson	Suarez
Dockery	Jacobs	Peaden	Sublette
Edwards	Johnson	Posey	Thrasher
Eggelletion	Jones	Prieguez	Trovillion
Farkas	Kelly	Pruitt	Tullis
Fasano	Kilmer	Putnam	Turnbull
Feeney	Kosmas	Rayson	Villalobos
Fiorentino	Kyle	Reddick	Wallace
Flanagan	Lacasa	Ritchie	Wasserman Schultz
Frankel	Lawson	Ritter	Waters
Futch	Lee	Roberts	Wiles
Garcia	Levine	Rojas	Wilson
Gay	Littlefield	Rubio	Wise
Goode	Logan	Russell	
Goodlette	Lynn	Ryan	
Gottlieb	Maygarden	Sanderson	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1697—A bill to be entitled An act relating to the City of Deerfield Beach, Broward County; extending and enlarging the corporate limits of the City of Deerfield Beach to include specified unincorporated lands within said corporate limits; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Wasserman Schultz	Wiles	Wilson	Wise
Waters			

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1703—A bill to be entitled An act relating to the City of Deerfield Beach, Broward County; extending and enlarging the corporate limits of the City of Deerfield Beach to include specified unincorporated lands within said corporate limits; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1705—A bill to be entitled An act relating to the City of Deerfield Beach, Broward County; extending and enlarging the corporate limits of the City of Deerfield Beach to include specified unincorporated lands within said corporate limits; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

The Chair	Betancourt	Brummer	Cosgrove
Alexander	Bilirakis	Bullard	Crist
Andrews	Bitner	Bush	Crow
Argenio	Bloom	Byrd	Detert
Argenziano	Boyd	Cantens	Diaz de la Portilla, R.
Arnall	Bradley	Casey	Dockery
Barreiro	Bronson	Chestnut	Edwards
Bense	Brown	Constantine	Eggelletion

Farkas	Jacobs	Murman	Sobel
Fasano	Johnson	Ogles	Sorensen
Feeny	Jones	Patterson	Spratt
Fiorentino	Kelly	Peaden	Stafford
Flanagan	Kilmer	Posey	Stansel
Frankel	Kosmas	Prieguez	Suarez
Futch	Kyle	Pruitt	Sublette
Garcia	Lacasa	Putnam	Thrasher
Gay	Lawson	Rayson	Trovillion
Goode	Lee	Reddick	Tullis
Goodlette	Levine	Ritchie	Turnbull
Gottlieb	Littlefield	Ritter	Villalobos
Green, C.	Logan	Roberts	Wallace
Greene, A.	Lynn	Rojas	Wasserman Schultz
Greenstein	Maygarden	Rubio	Waters
Hafner	Melvin	Russell	Wiles
Harrington	Merchant	Ryan	Wilson
Hart	Miller, J.	Sanderson	Wise
Henriquez	Miller, L.	Semler	
Heyman	Minton	Smith, C.	
Hill	Morrone	Smith, K.	

Tullis	Wallace	Waters	Wilson
Turnbull	Wasserman Schultz	Wiles	Wise
Villalobos			

Nays—None

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

HB 1761—A bill to be entitled An act relating to the City of Fort Lauderdale, Broward County; extending and enlarging the corporate limits of the City of Fort Lauderdale to include specified unincorporated lands within said corporate limits; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 072505)

Amendment 1—
remove from the bill: everything after the enacting clause
and insert in lieu thereof:

Section 1. The present corporate limits of the City of Fort Lauderdale, Broward County, are hereby extended and enlarged to include, in addition to the territory presently within its corporate limits, that portion of Section 32, Township 49 South, Range 42 East, Broward County, Florida, being more particularly describes as follows:

BEGINNING AT THE SOUTHEAST CORNER OF "GOLDEN HEIGHTS HOMES" AS RECORDED IN PLAT BOOK 40, PAGE 28, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE NORTH 00° 46' 04" EAST ALONG THE WEST LINE OF SAID PLAT FOR 688.62 FEET TO THE NORTHWEST CORNER OF SAID PLAT;

THENCE EAST ALONG THE NORTH LINE OF SAID PLAT FOR 2004.16 FEET TO THE NORTHEAST CORNER OF SAID PLAT;

THENCE SOUTH 00° 50' 06" WEST ALONG THE EAST LINE OF SAID PLAT FOR 682.46 FEET TO THE SOUTHEAST CORNER OF SAID PLAT, THE LAST 3 COURSES BEING COINCIDENT WITH THE CORPORATE LIMITS OF THE CITY OF FORT LAUDERDALE;

THENCE SOUTH 89° 53' 15" WEST ALONG THE SOUTH LINE OF SAID PLAT FOR 1134.17 FEET;

THENCE SOUTH 89° 41' 45" WEST LONG THE SOUTH LINE OF SAID PLAT FOR 669.28 FEET TO THE POINT OF BEGINNING.

Lying within Broward County, Florida. Containing 31.89 acres, more or less.

Section 2. All public roads and the public rights-of-way associated therewith, lying within the limits of the lands subject to annexation herein, as described in section 1, are transferred from Broward County jurisdiction to the jurisdiction of the annexing municipality.

Section 3. On the effective date of this act, the City of Fort Lauderdale shall be responsible for and embodied with all municipal powers granted in chapter 166, Florida Statutes, over territory hereby annexed.

Section 4. Nothing in this act shall be construed to affect or abrogate the rights of parties to any contracts, whether the same be between Broward County and a third party or between nongovernmental entities, which contracts are in effect prior to the effective date of annexation.

Section 5. This act shall take effect September 15, 2000.

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

On motion by Rep. Wasserman Schultz, the rules were suspended and HB 1761, as amended, was read the third time by title. On passage, the vote was:

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1711—A bill to be entitled An act relating to Palm Beach County; providing for the annexation of lands into the Northern Palm Beach County Improvement District; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 024415)

Amendment 1—On page 6, line 10, through page 8, line 2, remove from the bill: all of said lines

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

On motion by Rep. Merchant, the rules were suspended and HB 1711, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

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

HB 1765—A bill to be entitled An act relating to Broward County and the City of Cooper City; extending and enlarging the corporate limits of the City of Cooper City to include specified unincorporated lands within the same corporate limits; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following:

(Amendment Bar Code: 381263)

Amendment 1—On page 2, line 4 remove from the bill: all of said lines

and insert in lieu thereof: *86-12-2 and ordinance number 99-2-3, to the southeast corner of said*

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

On motion by Rep. Wasserman Schultz, the rules were suspended and HB 1765, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 111

Yeas—113

The Chair	Bilirakis	Bush	Detert
Alexander	Bitner	Byrd	Diaz de la Portilla, R.
Andrews	Bloom	Cantens	Dockery
Argenio	Boyd	Casey	Edwards
Argenziano	Bradley	Chestnut	Eggelletion
Arnall	Bronson	Constantine	Farkas
Barreiro	Brown	Cosgrove	Fasano
Bense	Brummer	Crist	Feeney
Betancourt	Bullard	Crow	Fiorentino

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

Nays—None

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

HB 1779—A bill to be entitled An act relating to the City of Pompano Beach, Broward County; extending and enlarging the corporate limits of the City of Pompano Beach to include the unincorporated area known as “Cresthaven” within said corporate limits; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1843—A bill to be entitled An act relating to Port St. Joe Port Authority, Gulf County; providing for the codification of special acts relating to the Port St. Joe Port Authority; providing legislative intent; codifying, reenacting, amending, and repealing chapter 30787 (1955) and chapter 78-514, Laws of Florida; providing for governance, employees, powers, and finance of the Port St. Joe Port Authority; providing for repeal of prior special acts related to the Port St. Joe Port Authority; providing for severability; providing for control in the event of conflict of provisions; providing minimum charter requirements; providing an effective date.

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

Session Vote Sequence: 111

Yeas—113

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

Nays—None

So the bill passed and was immediately certified to the Senate.

THE SPEAKER IN THE CHAIR

Claim Bills

HB 1497 was taken up. On motion by Rep. Cantens, SB 8 was substituted for HB 1497. Under Rule 50, the House bill was laid on the table and—

SB 8—A bill to be entitled An act relating to St. Johns County; providing for the relief of William D. Mock and Susan G. Mock; providing for an appropriation to compensate them for injuries sustained as a result of the negligence of St. Johns County; providing an effective date.

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

Session Vote Sequence: 112

Yeas—96

The Chair	Diaz de la Portilla, R.	Kosmas	Reddick
Andrews	Eggelleton	Kyle	Ritchie
Argenio	Farkas	Lacasa	Ritter
Arnall	Flanagan	Lawson	Rojas
Barreiro	Frankel	Lee	Rubio
Bense	Futch	Levine	Russell
Bilirakis	Garcia	Littlefield	Ryan
Bitner	Gay	Logan	Sembler
Bloom	Goodlette	Lynn	Smith, C.
Boyd	Gottlieb	Maygarden	Sobel
Bradley	Green, C.	Melvin	Sorensen
Bronson	Greene, A.	Merchant	Stafford
Brown	Greenstein	Miller, J.	Stansel
Bullard	Hafner	Miller, L.	Suarez
Bush	Harrington	Morrone	Sublette
Byrd	Hart	Murman	Trovillion
Cantens	Henriquez	Ogles	Tullis
Casey	Heyman	Patterson	Turnbull
Chestnut	Hill	Peaden	Villalobos
Constantine	Jacobs	Posey	Wallace
Cosgrove	Johnson	Prieguez	Wasserman Schultz
Crist	Jones	Pruitt	Waters
Crow	Kelly	Putnam	Wiles
Detert	Kilmer	Rayson	Wilson

Nays—14

Alexander	Dockery	Goode	Spratt
Argenziano	Fasano	Minton	Wise
Bainter	Feeney	Sanderson	
Brummer	Fuller	Smith, K.	

Votes after roll call:

Yeas to Nays—Johnson, Morrone

So the bill passed and was immediately certified to the Senate.

HB 1499 was taken up. On motion by Rep. Cantens, SB 12 was substituted for HB 1499. Under Rule 50, the House bill was laid on the table and—

SB 12—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Frank J. Ruck, Jr., and Marlene G. Ruck, individually and as Personal Representatives of the Estate of Christopher F. Ruck; providing for an appropriation to compensate them for the death of Christopher F. Ruck as a result of the negligence of Miami-Dade County; providing an effective date.

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

Session Vote Sequence: 113

Yeas—97

The Chair	Bush	Farkas	Henriquez
Andrews	Byrd	Fiorentino	Heyman
Argenio	Cantens	Flanagan	Hill
Arnall	Casey	Frankel	Jacobs
Barreiro	Chestnut	Futch	Johnson
Bense	Constantine	Garcia	Jones
Betancourt	Cosgrove	Gay	Kelly
Bilirakis	Crady	Gottlieb	Kilmer
Bloom	Crist	Green, C.	Kosmas
Boyd	Crow	Greene, A.	Kyle
Bradley	Detert	Greenstein	Lacasa
Bronson	Diaz de la Portilla, R.	Hafner	Lawson
Brown	Edwards	Harrington	Lee
Bullard	Eggelleton	Hart	Levine

Logan	Peaden	Russell	Trovillion
Lynn	Posey	Ryan	Turnbull
Maygarden	Prieguez	Sembler	Villalobos
Melvin	Pruitt	Smith, C.	Wallace
Merchant	Putnam	Sobel	Wasserman Schultz
Miller, J.	Rayson	Sorensen	Waters
Miller, L.	Reddick	Stafford	Wiles
Morrone	Ritchie	Stansel	Wilson
Murman	Ritter	Starks	
Ogles	Roberts	Suarez	
Patterson	Rojas	Sublette	

Nays—18

Alexander	Dockery	Goodlette	Spratt
Argenziano	Fasano	Minton	Tullis
Bainter	Feeney	Rubio	Wise
Bitner	Fuller	Sanderson	
Brummer	Goode	Smith, K.	

Votes after roll call:

Yeas to Nays—Johnson

So the bill passed and was immediately certified to the Senate.

HB 1501—A bill to be entitled An act relating to the North Broward Hospital District; providing for the relief of Virgilio Chavez and Anagely Chavez, a minor, for injuries and damages sustained as a result of the death of Cruz Chavez due to inappropriate treatment by the Broward General Medical Center; providing an effective date.

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

Session Vote Sequence: 114

Yeas—96

The Chair	Detert	Kilmer	Reddick
Andrews	Diaz de la Portilla, R.	Kosmas	Ritchie
Argenio	Edwards	Kyle	Ritter
Arnall	Eggelletion	Lacasa	Roberts
Barreiro	Farkas	Lawson	Rojas
Bense	Fiorentino	Lee	Russell
Betancourt	Flanagan	Levine	Ryan
Bilirakis	Frankel	Littlefield	Sembler
Bloom	Futch	Logan	Smith, C.
Boyd	Garcia	Lynn	Sobel
Bradley	Gay	Maygarden	Sorensen
Bronson	Gottlieb	Melvin	Stafford
Brown	Green, C.	Miller, J.	Stansel
Bullard	Greene, A.	Miller, L.	Starks
Bush	Greenstein	Morrone	Suarez
Byrd	Hafner	Murman	Sublette
Cantens	Harrington	Ogles	Trovillion
Casey	Hart	Patterson	Turnbull
Chestnut	Henriquez	Peaden	Villalobos
Constantine	Heyman	Posey	Wallace
Cosgrove	Hill	Prieguez	Wasserman Schultz
Cradly	Jacobs	Pruitt	Waters
Crist	Jones	Putnam	Wiles
Crow	Kelly	Rayson	Wilson

Nays—19

Alexander	Dockery	Goodlette	Smith, K.
Argenziano	Fasano	Johnson	Spratt
Bainter	Feeney	Minton	Tullis
Bitner	Fuller	Rubio	Wise
Brummer	Goode	Sanderson	

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

HB 1553—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Elizabeth Menendez; providing for an appropriation to compensate Elizabeth Menendez for injuries and damages sustained as a result of the negligence of the Palm Beach County Sheriff's Department; providing an effective date.

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

Session Vote Sequence: 115

Yeas—95

Andrews	Edwards	Kyle	Ritchie
Argenio	Eggelletion	Lacasa	Ritter
Arnall	Farkas	Lawson	Roberts
Barreiro	Fiorentino	Lee	Rojas
Bense	Flanagan	Levine	Russell
Betancourt	Frankel	Littlefield	Ryan
Bilirakis	Futch	Logan	Sembler
Bloom	Garcia	Lynn	Smith, C.
Boyd	Gay	Maygarden	Sobel
Bradley	Gottlieb	Melvin	Sorensen
Brown	Green, C.	Merchant	Stafford
Bullard	Greene, A.	Miller, J.	Stansel
Bush	Greenstein	Miller, L.	Starks
Byrd	Hafner	Morrone	Suarez
Cantens	Harrington	Murman	Sublette
Casey	Hart	Ogles	Trovillion
Chestnut	Henriquez	Patterson	Turnbull
Constantine	Heyman	Peaden	Villalobos
Cosgrove	Hill	Posey	Wallace
Cradly	Jacobs	Prieguez	Wasserman Schultz
Crist	Jones	Pruitt	Waters
Crow	Kelly	Putnam	Wiles
Detert	Kilmer	Rayson	Wilson
Diaz de la Portilla, R.	Kosmas	Reddick	

Nays—20

Alexander	Brummer	Goode	Sanderson
Argenziano	Dockery	Goodlette	Smith, K.
Bainter	Fasano	Johnson	Spratt
Bitner	Feeney	Minton	Tullis
Bronson	Fuller	Rubio	Wise

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

HB 1555—A bill to be entitled An act relating to the South Broward Hospital District; providing for the relief of Clarice Holland, individually as surviving spouse of Sidney Holland, Jr., deceased, and as Personal Representative of the Estate of Sidney Holland, Jr., deceased; providing for an appropriation to compensate them for losses sustained as a result of the negligence of South Broward Hospital District, d.b.a. Memorial Regional Hospital, which resulted in the death of Sidney Holland, Jr.; providing an effective date.

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

Session Vote Sequence: 116

Yeas—90

The Chair	Bilirakis	Byrd	Crow
Andrews	Bloom	Cantens	Detert
Argenio	Boyd	Casey	Diaz de la Portilla, R.
Arnall	Bradley	Chestnut	Edwards
Barreiro	Brown	Constantine	Eggelletion
Bense	Bullard	Cosgrove	Farkas
Betancourt	Bush	Cradly	Fiorentino

Flanagan	Kilmer	Ogles	Sobel
Frankel	Kosmas	Patterson	Sorensen
Garcia	Lacasa	Peaden	Stafford
Gay	Lawson	Posey	Stansel
Gottlieb	Lee	Prieguez	Starks
Green, C.	Levine	Pruitt	Suarez
Greene, A.	Littlefield	Putnam	Sublette
Greenstein	Logan	Rayson	Turnbull
Hafner	Lynn	Reddick	Villalobos
Harrington	Maygarden	Ritchie	Wallace
Henriquez	Melvin	Ritter	Wasserman Schultz
Heyman	Merchant	Roberts	Waters
Hill	Miller, J.	Rojas	Wiles
Jacobs	Miller, L.	Ryan	Wilson
Jones	Morrone	Sembler	
Kelly	Murman	Smith, C.	

Nays—20

Alexander	Brummer	Goode	Sanderson
Argenziano	Dockery	Goodlette	Smith, K.
Bainter	Fasano	Johnson	Spratt
Bitner	Feeney	Minton	Tullis
Bronson	Fuller	Rubio	Wise

Votes after roll call:

Yeas—Crist, Kyle

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

HB 1557—A bill to be entitled An act relating to the City of Tallahassee; providing for the relief of Jason Crosby and Donna Crosby, mother of Jason Crosby; providing for an appropriation to compensate them for injuries and damages sustained as a result of an automobile accident involving Jason Crosby, a minor, and police officers employed by the City of Tallahassee; providing an effective date.

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

Session Vote Sequence: 117

Yeas—97

The Chair	Diaz de la Portilla, R.	Kosmas	Ritter
Andrews	Edwards	Lacasa	Roberts
Argenio	Eggelleton	Lawson	Rojas
Arnall	Farkas	Lee	Rubio
Barreiro	Fiorentino	Levine	Russell
Bense	Flanagan	Littlefield	Sembler
Betancourt	Frankel	Logan	Smith, C.
Bilirakis	Futch	Lynn	Sobel
Bloom	Garcia	Maygarden	Sorensen
Boyd	Gay	Melvin	Stafford
Bradley	Gottlieb	Merchant	Stansel
Bronson	Green, C.	Miller, J.	Starks
Brown	Greene, A.	Miller, L.	Suarez
Bullard	Greenstein	Morrone	Sublette
Bush	Hafner	Murman	Trovillion
Byrd	Harrington	Ogles	Turnbull
Cantens	Hart	Patterson	Villalobos
Casey	Henriquez	Peaden	Wallace
Chestnut	Heyman	Posey	Wasserman Schultz
Constantine	Hill	Prieguez	Waters
Cosgrove	Jacobs	Pruitt	Wiles
Crady	Johnson	Putnam	Wilson
Crist	Jones	Rayson	
Crow	Kelly	Reddick	
Detert	Kilmer	Ritchie	

Nays—18

Alexander	Dockery	Goodlette	Spratt
Argenziano	Fasano	Kyle	Tullis
Bainter	Feeney	Minton	Wise
Bitner	Fuller	Sanderson	
Brummer	Goode	Smith, K.	

Votes after roll call:

Nays to Yeas—Kyle

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

HB 2277—A bill to be entitled An act relating to the City of Fort Lauderdale; providing for the relief of Earl Spencer and his children, Sheryl Spencer, Zico Spencer, Kimberly Spencer, Djaniela Spencer, and Jamaria Spencer; providing for an appropriation to compensate them for personal injuries suffered due to the negligence of the City of Fort Lauderdale; providing an effective date.

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

Session Vote Sequence: 118

Yeas—96

The Chair	Diaz de la Portilla, R.	Kelly	Putnam
Andrews	Edwards	Kilmer	Rayson
Argenio	Eggelleton	Kosmas	Reddick
Arnall	Farkas	Kyle	Ritchie
Barreiro	Fiorentino	Lacasa	Ritter
Bense	Flanagan	Lawson	Roberts
Betancourt	Frankel	Lee	Rojas
Bilirakis	Futch	Levine	Russell
Bloom	Garcia	Littlefield	Sembler
Boyd	Gay	Logan	Sobel
Bradley	Goodlette	Lynn	Sorensen
Brown	Gottlieb	Maygarden	Stafford
Bullard	Green, C.	Melvin	Stansel
Bush	Greene, A.	Merchant	Starks
Byrd	Greenstein	Miller, J.	Suarez
Cantens	Hafner	Miller, L.	Sublette
Casey	Harrington	Morrone	Trovillion
Chestnut	Hart	Murman	Turnbull
Constantine	Henriquez	Ogles	Villalobos
Cosgrove	Heyman	Patterson	Wallace
Crady	Hill	Peaden	Wasserman Schultz
Crist	Jacobs	Posey	Waters
Crow	Johnson	Prieguez	Wiles
Detert	Jones	Pruitt	Wilson

Nays—18

Alexander	Brummer	Goode	Spratt
Argenziano	Dockery	Minton	Tullis
Bainter	Fasano	Rubio	Wise
Bitner	Feeney	Sanderson	
Bronson	Fuller	Smith, K.	

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

HB 2279 was taken up. On motion by Rep. Cantens, CS for SB 38 was substituted for HB 2279. Under Rule 50, the House bill was laid on the table and—

CS for SB 38—A bill to be entitled An act relating to Volusia County; providing for the relief of Fred Fedorka; providing for an appropriation to compensate him for the death of his wife, Carol Fedorka, and for injuries he sustained as a result of the negligence of Volusia County; providing an effective date.

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

Session Vote Sequence: 119

Yeas—95

The Chair	Diaz de la Portilla, R.	Kyle	Ritchie
Andrews	Edwards	Lacasa	Ritter
Argenio	Eggelletion	Lawson	Roberts
Arnall	Farkas	Lee	Rojas
Barreiro	Fiorentino	Levine	Russell
Bense	Flanagan	Littlefield	Ryan
Betancourt	Frankel	Logan	Sembler
Bilirakis	Futch	Lynn	Smith, C.
Bloom	Garcia	Maygarden	Sobel
Boyd	Gay	Melvin	Sorensen
Bradley	Gottlieb	Merchant	Stafford
Brown	Green, C.	Miller, J.	Stansel
Bullard	Greenstein	Miller, L.	Starks
Bush	Hafner	Morroni	Suarez
Byrd	Harrington	Murman	Sublette
Cantens	Hart	Ogles	Trovillion
Casey	Henriquez	Patterson	Turnbull
Chestnut	Heyman	Peaden	Villalobos
Constantine	Hill	Posey	Wallace
Cosgrove	Jacobs	Prieguez	Wasserman Schultz
Cradly	Jones	Pruitt	Waters
Crist	Kelly	Putnam	Wiles
Crow	Kilmer	Rayson	Wilson
Detert	Kosmas	Reddick	

Nays—20

Alexander	Brummer	Goode	Sanderson
Argenziano	Dockery	Goodlette	Smith, K.
Bainter	Fasano	Johnson	Spratt
Bitner	Feeney	Minton	Tullis
Bronson	Fuller	Rubio	Wise

So the bill passed and was immediately certified to the Senate.

Other Bills on Special Orders

CS/HB 607—A bill to be entitled An act relating to pretrial release; amending s. 903.046, F.S.; revising criteria for bail determination; amending s. 907.041, F.S.; prohibiting persons charged with dangerous crimes from being placed on pretrial release on nonmonetary conditions at first appearance hearings; providing criteria for pretrial release on nonmonetary conditions; creating s. 903.0471, F.S.; authorizing a court to order pretrial detention for persons on pretrial release who commit new crimes under certain circumstances; repealing Rules 3.131 and 3.132, Florida Rules of Criminal Procedure, relating to pretrial release and pretrial detention, to the extent those rules are inconsistent with this act; providing an effective date.

—was read the second time by title.

Representative(s) Cantens offered the following:

(Amendment Bar Code: 305619)

Amendment 1 (with title amendment)—On page 8, lines 13-19, remove from the bill: said lines

and insert in lieu thereof:

Section 4. Subsections (2) and (3) of section 903.26, Florida Statutes, are amended to read:

903.26 Forfeiture of the bond; when and how directed; discharge; how and when made; effect of payment.—

(2)(a) If there is a breach of the bond, the court shall declare the bond and any bonds or money deposited as bail forfeited. The clerk of the

court shall mail a notice to the surety agent and surety company in writing within 5 days of the forfeiture. A certificate signed by the clerk of the court or the clerk's designee, certifying that the notice required herein was mailed on a specified date and accompanied by a copy of the required notice, shall constitute sufficient proof that such mailing was properly accomplished as indicated therein. If such mailing was properly accomplished as evidenced by such certificate, the failure of the surety agent, of a company, or of a defendant to receive such mail notice shall not constitute a defense to such forfeiture and shall not be grounds for discharge, remission, reduction, set aside, or continuance of such forfeiture. The forfeiture shall be paid within 60~~35~~ days of the date the notice was mailed.

(b) Failure of the defendant to appear at the time, date, and place of required appearance shall result in forfeiture of the bond. Such forfeiture shall be automatically entered by the clerk upon such failure to appear, and the clerk shall follow the procedures outlined in paragraph (a). However, the court may determine, in its discretion, in the interest of justice, that an appearance by the defendant on the same day as required does not warrant forfeiture of the bond; and the court may direct the clerk to set aside any such forfeiture which may have been entered. Any appearance by the defendant later than the required day constitutes forfeiture of the bond, and the court shall not preclude entry of such forfeiture by the clerk.

(c) If there is a breach of the bond, the clerk shall provide, upon request, a certified copy of the warrant or *capias* to the bail bond agent or surety company.

(3) ~~Sixty~~ ~~Thirty-five~~ days after the forfeiture notice has been mailed:

(a) State and county officials having custody of forfeited money shall deposit the money in the county fine and forfeiture fund;

(b) Municipal officials having custody of forfeited money shall deposit the money in a designated municipal fund;

(c) Officials having custody of bonds as authorized by s. 903.16 shall transmit the bonds to the clerk of the circuit court who shall sell them at market value and disburse the proceeds as provided in paragraphs (a) and (b).

Section 5. *Rules 3.131 and 3.132, Florida Rules of Criminal Procedure, are repealed to the extent that the rules are inconsistent with this act.*

Section 6. This act shall take effect upon becoming a law, except that section 5 shall take effect only if this act is passed by the affirmative vote of two-thirds of the membership of each house of the Legislature.

And the title is amended as follows:

On page 1, line 13, after the semicolon

and insert: amending s. 903.26, F.S.; revising time period for bond forfeiture payment and notice;

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

On motion by Rep. Cantens, the rules were suspended and CS/HB 607, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 120

Yeas—115

The Chair	Bense	Brown	Constantine
Alexander	Betancourt	Brummer	Cosgrove
Andrews	Bilirakis	Bullard	Cradly
Argenio	Bitner	Bush	Crist
Argenziano	Bloom	Byrd	Crow
Arnall	Boyd	Cantens	Detert
Bainter	Bradley	Casey	Diaz de la Portilla, R.
Barreiro	Bronson	Chestnut	Dockery

Edwards	Henriquez	Minton	Smith, C.
Eggelletion	Heyman	Morrone	Smith, K.
Farkas	Hill	Murman	Sobel
Fasano	Jacobs	Ogles	Sorensen
Feeney	Johnson	Patterson	Spratt
Fiorentino	Jones	Peaden	Stafford
Flanagan	Kelly	Posey	Stansel
Frankel	Kilmer	Prieguez	Starks
Fuller	Kosmas	Pruitt	Suarez
Futch	Kyle	Putnam	Sublette
Garcia	Lacasa	Rayson	Trovillion
Gay	Lawson	Reddick	Tullis
Goode	Lee	Ritchie	Turnbull
Goodlette	Levine	Ritter	Villalobos
Gottlieb	Littlefield	Roberts	Wallace
Green, C.	Lynn	Rojas	Wasserman Schultz
Greene, A.	Maygarden	Rubio	Waters
Greenstein	Melvin	Russell	Wiles
Hafner	Merchant	Ryan	Wilson
Harrington	Miller, J.	Sanderson	Wise
Hart	Miller, L.	Sembler	

Nays—None

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

CS/HB 125—A bill to be entitled An act relating to release of employee information by employers; providing specified requirements applicable to employers with respect to a background investigation of an applicant for employment or appointment as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer; requiring the investigating officer to present an authorization form for release of information and providing requirements with respect thereto; defining “employment information”; providing for injunctive relief; providing a presumption; providing for fees to cover certain costs incurred by the employer; providing an effective date.

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

HB 1115—A bill to be entitled An act relating to bail bond premiums; creating s. 624.4094, F.S.; requiring reporting of net amounts of certain bail bond premiums; providing a minimum requirement for direct written premiums for bail bonds; providing application; providing reporting requirements for assumed premiums; requiring recordkeeping; requiring disclosure of certain information in annual statements; providing an effective date.

—was read the second time by title.

The Committee on Insurance offered the following:

(Amendment Bar Code: 270997)

Amendment 1—On page 2, between lines 16 & 17 of the bill insert:

(d) *The amount of bail bond premium included on the surety line of the annual statement filed with the department.*

(5) *This section does not affect the reporting or payment of insurance premium taxes under ss. 624.509, 624.5091, and 624.5092, and the insurance premium tax and related excise taxes shall continue to be calculated using gross bail bond premiums.*

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

The Committee on Insurance offered the following:

(Amendment Bar Code: 460699)

Amendment 2—On page 2, line 17

after “2000” insert: and shall apply to premiums written for calendar year 2000 and thereafter

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

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

HB 1009—A bill to be entitled An act relating to law enforcement officers; amending s. 817.564, F.S.; providing an exemption from civil or criminal liability for the sale of imitation controlled substances by law enforcement officers; providing an effective date.

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

HB 1461—A bill to be entitled An act relating to the misuse of hand-held laser lighting devices; creating s. 784.062, F.S.; defining the term “laser lighting device”; providing that it is a second degree misdemeanor to knowingly and willfully shine the beam of a laser lighting device at a law enforcement officer in such a manner as to cause the law enforcement officer to believe that a firearm is pointed at him or her; providing a penalty; providing an effective date.

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

HB 145 was taken up. On motion by Rep. L. Miller, the rules were suspended and—

SB 184—A bill to be entitled An act relating to the offense of possessing a concealed handcuff key; creating s. 843.021, F.S.; providing definitions; providing that it is a third-degree felony for a person placed in custody to possess a concealed handcuff key; providing that disclosure of such possession to a law enforcement officer is a defense to the charge of unlawfully possessing a concealed handcuff key; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; including the offense of possessing a concealed handcuff key on the offense severity ranking chart; providing an effective date.

—was substituted for HB 145 and read the second time by title. Under Rule 50, the House Bill was laid on the table.

Representative(s) L. Miller offered the following:

(Amendment Bar Code: 090513)

Amendment 1 (with title amendment)—On page 1, line 17, remove from the bill: everything after the enacting clause, and insert in lieu thereof:

Section 1. Section 843.021, Florida Statutes, is created to read:

843.021 Unlawful possession of a concealed handcuff key.—

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

(a) *“In custody” means any time while a person has been placed by a law enforcement officer in handcuffs, regardless of whether such person is under formal arrest.*

(b) *“Handcuff key” means any key, tool, device, implement, or other thing used, designed, or intended to aid in unlocking or removing handcuffs.*

(c) *“Concealed handcuff key” means any handcuff key carried by a person in a manner that indicates an intent to prevent discovery of the key by a law enforcement officer, including, but not limited to, a handcuff key carried:*

1. *In a pocket of a piece of clothing of a person, and unconnected to any key ring;*

and insert in lieu thereof: An act relating to the offense of possessing a concealed handcuff key; creating s. 843.021, F.S.; providing definitions; providing that it is a third degree felony for a person placed in custody to possess a concealed handcuff key; providing that disclosure of such possession to a law enforcement officer is a defense to the charge of unlawfully possessing a concealed handcuff key; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; including the offense of possessing a concealed handcuff key on the offense severity ranking chart; providing an effective date.

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

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

HB 435 was temporarily postponed under Rule 141 and the second reading nullified.

CS/CS/CS/HB 49—A bill to be entitled An act relating to driving under the influence; amending s. 322.2616, F.S.; providing for the requirement that certain license suspensions shall remain in effect for a described time period; providing for the assumption of the costs for substance abuse education; providing a definition; providing for the admission of certain minors into county addictions receiving facilities under certain circumstances; clarifying the blood-alcohol and breath-alcohol level that is unlawful; providing for a temporary driving permit to become effective after a specified period has elapsed following the issuance of the permit; authorizing the use of a blood test obtained pursuant to certain other investigations to be used for the purposes of s. 322.2616, F.S.; providing an effective date.

—was read the second time by title.

Representative(s) Brummer offered the following:

(Amendment Bar Code: 180951)

Amendment 1—On page 3, line 19, remove from the bill: all of said line

and insert in lieu thereof:

(c) When a driver subject to this section has a blood-alcohol or breath-alcohol level of 0.05 or higher, the suspension shall remain in effect until such

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

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

HB 1601—A bill to be entitled An act relating to property exempt from legal process; amending s. 222.25, F.S.; exempting certain debtor's interests from attachment, garnishment, or legal process; providing an effective date.

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

HB 643—A bill to be entitled An act relating to university student governments and state universities; amending s. 240.235, F.S.; defining "consultation" for purposes of establishing student fees; providing requirements regarding the recommendations of fee committees; creating s. 240.236, F.S., relating to university student governments; requiring the establishment of a student government at each state university; authorizing each student government to adopt certain internal procedures; requiring the adoption of certain procedures; providing for the university president to have final approval authority for internal procedures adopted according to this section; amending s. 240.295, F.S.; defining "consultation" for purposes of approval of state university capital outlay projects; amending s. 240.531, F.S., relating to the establishment of educational research centers for child development; revising terminology; repealing s. 240.136, F.S., relating to suspension and removal from office of elected student government officials; providing an effective date.

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

CS/HB 1477—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing exemptions from public records requirements for specified identifying information relating to local government human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers and their spouses and children; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was read the second time by title.

Representative(s) Gay offered the following:

(Amendment Bar Code: 862079)

Amendment 1 (with title amendment)—On page 3, line 8, after "agency"

insert: *or water management district*

And the title is amended as follows:

On page 1, line 5, after "government"

insert: *or water management district*

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

Representative(s) Gay offered the following:

(Amendment Bar Code: 751219)

Amendment 2—On page 4, line 4, after "agencies"

insert: *or water management districts*

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

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

HM 97—A memorial to the Congress of the United States, urging Congress to provide the Florida Department of Veterans' Affairs with information available to the United States Government regarding any Florida resident who is classified as a United States POW/MIA.

WHEREAS, the men and women of the United States Armed Forces are trained and dedicated to protect the security of our nation, and

WHEREAS, these men and women have devoted themselves to the task of protecting our lives and liberty as United States citizens, and

WHEREAS, all Americans derive inspiration from the sacrifices members of the Armed Services have endured during captivity as prisoners of war, and

WHEREAS, the courage of the families of those members of the Armed Services who still remain missing or unaccounted for is also a great source of inspiration and admiration for all Americans, and

WHEREAS, Americans recognize the special debt of gratitude owed to those who have sacrificed their freedom in the service of our country, and

WHEREAS, as a reaffirmation of our commitment to the courageous families of these military personnel, the State of Florida pledges to officially inquire as to the identity of any Florida resident whom the United States Government classifies as a POW/MIA, and

WHEREAS, the State of Florida, upon official notification that a Florida resident is classified as a United States POW/MIA, vows to officially act to ascertain information regarding the POW/MIA's well-being, and to do all that is within the power of the State of Florida to ensure his or her safe return, NOW, THEREFORE,

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

That the Congress of the United States is requested to provide the Florida Department of Veterans' Affairs with any information available

to the United States Government regarding any Florida resident who is classified as a United States POW/MIA in order that the Florida Department of Veterans' Affairs, upon official notification that a Florida resident is so classified, may commence official action to ascertain information regarding the POW/MIA's well-being and endeavor to bring about his or her safe return to the United States.

BE IT FURTHER RESOLVED that any information made available to the Florida Department of Veterans' Affairs, either by the United States Congress or ascertained by the Florida Department of Veterans' Affairs, under the provisions of this memorial, shall be accessible to members of the immediate family of the POW/MIA. Immediate family is defined as a parent, child, spouse, or any other relative by blood, marriage, or adoption.

BE IT FURTHER RESOLVED that copies of this memorial be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. Fiorentino, the memorial was adopted and, under the rule, immediately certified to the Senate.

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

CS/HB 251—A bill to be entitled An act relating to condominium unit unpaid assessments; amending s. 718.116, F.S.; specifying nonapplication of certain assessment reduction or exemption provisions to a third-party purchaser at a foreclosure sale; providing a definition; providing an effective date.

—was read the second time by title.

Representative(s) Detert offered the following:

(Amendment Bar Code: 722633)

Amendment 1 (with title amendment)—On page 1, line 12, through page 2, line 20, remove from the bill: all of said lines,

and insert in lieu thereof:

Section 1. Paragraph (b) of subsection (1) of section 718.116, Florida Statutes, is amended, and paragraph (g) is added to said section, to read:

718.116 Assessments; liability; lien and priority; interest; collection.—

(1)

(b) The liability of a first mortgagee or its successor or assignees who acquire title to a unit by foreclosure or by deed in lieu of foreclosure for the unpaid assessments that became due prior to the mortgagee's acquisition of title is limited to the lesser of:

1. The unit's unpaid common expenses and regular periodic assessments which accrued or came due during the 6 months

immediately preceding the acquisition of title and for which payment in full has not been received by the association; or

2. One percent of the original mortgage debt.

The provisions of this paragraph shall not apply *only if* unless the first mortgagee joined the association as a defendant in the foreclosure action. Joinder of the association is not required if, on the date the complaint is filed, the association was dissolved or did not maintain an office or agent for service of process at a location which was known to or reasonably discoverable by the mortgagee.

(g) For purposes of this subsection, the term "successor or assignee" of a first mortgagee includes only a subsequent holder of the first mortgage.

And the title is amended as follows:

On page 1, lines 4-6, remove from the title of the bill: all of said lines,

and insert in lieu thereof: limiting liability of certain mortgagees for certain unpaid assessments;

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

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

CS/CS/HB 445—A bill to be entitled An act relating to real estate brokers and salespersons; amending s. 475.25, F.S.; providing an exception to a requirement that a licensee notify the Florida Real Estate Commission of certain doubts or conflicting demands with respect to a transaction when the buyer of a residential condominium unit delivers written notice of intent to cancel the contract for sale and purchase; permitting the return of certain escrowed property; clarifying that the giving of a broker price opinion is not the practice of appraising; amending s. 475.278, F.S.; providing requirements for disclosure to persons with whom the broker or salesperson has no brokerage relationship; providing that disclosure requirements do not apply in certain circumstances; amending s. 475.612, F.S.; clarifying that the giving of a broker price opinion is not the practice of appraising; providing an effective date.

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

CS/HB 395—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.012, F.S.; providing that, for purposes of determining eligibility for exemption, property which is leased to an exempt entity under a capital lease shall be deemed "owned" by the entity; defining "capital lease"; amending s. 196.198, F.S.; providing that property leased from a governmental agency is eligible for the exemption for educational property if the agency continues to use the property exclusively for educational purposes; providing an effective date.

—was read the second time by title.

Representative(s) Patterson offered the following:

(Amendment Bar Code: 340569)

Amendment 1 (with directory language amendment)—On page 1, lines 22-26

remove from the bill: all of said lines

and insert in lieu thereof:

(20) For purposes of determining if property is "owned" by an exempt entity, property leased to an exempt entity under a capital lease shall be deemed to be owned by that exempt entity. This subsection shall have no application to determine ownership of property leased by an exempt entity to another person.

(21) A "capital lease" is a lease to an exempt entity which meets at least one of the following criteria:

And the directory language is amended as follows:

On page 1, line 17
remove: Subsection 20 is

and insert in lieu thereof: Subsections (20) and (21) are

Rep. Patterson moved the adoption of the amendment.

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

Representative(s) Goodlette offered the following:

(Amendment Bar Code: 625169)

Substitute Amendment 1—On page 1, lines 22 through 26,
remove from the bill: all of said lines

and insert in lieu thereof:

(20) For purposes of determining if property is "owned" by an exempt entity, property leased to an exempt entity under a capital lease shall be deemed to be owned by that exempt entity. This subsection does not apply with respect to determining ownership of property leased by an exempt entity to another person. For purposes of this subsection, a "capital lease" is a lease to an exempt entity which meets at least one of the following criteria:

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

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

HB 1465—A bill to be entitled An act relating to condominium associations; amending s. 718.103, F.S.; revising definitions; providing an additional definition; amending s. 718.104, F.S.; changing from 30 business days to 120 calendar days the requirement to file recorded documents; providing additional requirements for a declaration of condominium; providing for determining the percentage share of liability for common expenses and ownership; amending s. 718.106, F.S.; providing for the right to assign exclusive use; providing for the right to seek election; amending s. 718.110, F.S.; clarifying requirements for amending and recording the declaration of condominium; providing for determining the percentage share of liability for common expenses and ownership for purposes of condominiums comprising a multicondominium development; amending s. 718.111, F.S.; clarifying an attorney-client privilege; revising requirements for financial reporting; authorizing certain financial statements in lieu of reports; deleting requirements for financial statements; revising certain limitations on the commingling of funds maintained in the name of a condominium association or multicondominium; amending s. 718.112, F.S.; revising requirements for budget meetings; requiring separate budgets for condominiums and associations; providing conditions under which a multicondominium association may waive or reduce its funding of reserves; amending s. 718.113, F.S.; providing certain limitations on making material alterations or additions to multicondominiums; providing a procedure for approving an alteration or addition if not provided for in the bylaws; revising requirements for condominium boards with respect to installing and maintaining hurricane shutters; specifying expenses that constitute common expenses of a multicondominium association; providing for an association's bylaws to allow certain educational expenses of the officers or directors to be a permitted common expense; amending s. 718.115, F.S.; providing for determining the common surplus owned by a unit owner of a multicondominium; amending s. 718.116, F.S.; revising circumstances under which a developer may be excused from paying certain common expenses and assessments; providing for the developer's obligation for such expenses with respect to a multicondominium association; amending s. 718.117, F.S.; providing that certain requirements governing the termination of a condominium are inapplicable to the merger of a condominium with one or more other condominiums; amending s. 718.403, F.S.; changing from 30 working days to 120 calendar days the requirement to file recorded documents; creating s. 718.405, F.S.; providing for the creation of multicondominiums; providing requirements for the declaration of condominium; providing

for the merger or consolidation of condominium associations; amending s. 718.5019, F.S.; providing for a member's continued service until a replacement has been appointed; amending s. 718.504, F.S.; providing requirements for the prospectus or offering circular for a condominium that is or may become part of a multicondominium; amending s. 721.13, F.S.; correcting a cross reference; repealing s. 718.501(1)(j), F.S., relating to uniform accounting principles, policies, and standards required to be adopted by the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation; providing an effective date.

—was read the second time by title.

Representative(s) Wasserman Schultz offered the following:

(Amendment Bar Code: 095867)

Amendment 1 (with title amendment)—On page 3, line 22,

insert:

Section 1. Paragraph(b) of subsection (1) of section 718.115, Florida Statutes, is amended to read:

718.115 Common expenses and common surplus.—

(1)

(b) If so provided in the declaration, the cost of a master antenna television system or duly franchised cable television service obtained pursuant to a bulk contract shall be deemed a common expense. If the declaration does not provide for the cost of a master antenna television system or duly franchised cable television service obtained under a bulk contract as a common expense, the board of administration may enter into such a contract, and the cost of the service will be a common expense but allocated on a per-unit basis rather than a percentage basis if the declaration provides for other than an equal sharing of common expenses, and any contract entered into before July 1, 1998, in which the cost of the service is not equally divided among all unit owners, may be changed by vote of a majority of the voting interests present at a regular or special meeting of the association, to allocate the cost equally among all units. The contract shall be for a term of not less than 2 years.

1. Any contract made by the board after the effective date hereof for a community antenna system or duly franchised cable television service may be canceled by a majority of the voting interests present at the next regular or special meeting of the association. Any member may make a motion to cancel said contract, but if no motion is made or if such motion fails to obtain the required majority at the next regular or special meeting, whichever is sooner, following the making of the contract, then such contract shall be deemed ratified for the term therein expressed.

2. Any such contract shall provide, and shall be deemed to provide if not expressly set forth, that any hearing impaired or legally blind unit owner who does not occupy the unit with a non-hearing-impaired or sighted person, or any unit owner receiving supplemental security income under Title XVI of the Social Security Act or food stamps as administered by the Department of Children and Family Services pursuant to s. 414.31, may discontinue the service without incurring disconnect fees, penalties, or subsequent service charges, and as to such units, the owners shall not be required to pay any common expenses charge related to such service. If less than all members of an association share the expenses of cable television, the expense shall be shared equally by all participating unit owners. The association may use the provisions of s. 718.116 to enforce payment of the shares of such costs by the unit owners receiving cable television.

And the title is amended as follows:

On page 1, line 2,

after the semicolon insert: amending s. 718.115, F.S.; authorizing condominium households receiving supplemental security income or food stamps to discontinue cable television service without fees, penalties, or service charges;

Rep. Wasserman Schultz moved the adoption of the amendment, which was adopted.

Representative(s) Goodlette offered the following:

(Amendment Bar Code: 670599)

Amendment 2—On page 26, line 13, remove from the bill: “*provided*”

and insert in lieu thereof: *and*

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

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

CS/HB 439—A bill to be entitled An act relating to public records; amending s. 288.99, F.S.; providing exemptions from public records requirements for information relating to an investigation or review by the Department of Banking and Finance of a certified capital company, including consumer complaints, for certain personal information relating to department investigative personnel and their families, and for information obtained by the department on a confidential basis; providing a privilege against civil liability; providing an exemption from public records requirements for social security numbers of customers of a certified capital company, complainants, or persons associated with a certified capital company or qualified business; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was read the second time by title.

The Committee on Finance & Taxation offered the following:

(Amendment Bar Code: 293349)

Amendment 1—On page 6, line 3, of the bill

insert after the period:

The Legislature also finds that it is a public necessity to exempt information which is only made available to the department on a confidential basis. Maintaining the confidentiality of such information protects the concerns of the persons regarding privacy, trade secrets, physical safety, or other such reason. The public benefit of maintaining the confidentiality outweighs the public benefit derived from release of such information, since such information would otherwise not be available to the department to carry out its regulatory or investigatory duties.

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

Representative(s) Crow offered the following:

(Amendment Bar Code: 101379)

Amendment 2—On page 4, line 2, remove from the bill: all of said line

and insert in lieu thereof:

a person with regard to information or evidence furnished to the

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 1083—A bill to be entitled An act relating to professional services contracts; creating s. 725.08, F.S.; providing for indemnification in design professional contracts and voiding all others as being against public policy; providing definitions; providing for application; amending s. 725.06, F.S.; conforming to the act; providing an effective date.

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

CS/HB 247 was taken up. On motion by Rep. Bradley, the rules were suspended and—

CS for SB 2304—A bill to be entitled An act relating to reinsurance; amending s. 215.555, F.S.; revising the definition of the term “covered policy” for purposes of coverage by the Florida Hurricane Catastrophe Fund; revising the method of determining reimbursement to insurers by the Fund; amending s. 624.610, F.S.; setting the conditions for the allowance of credit for reinsurance; providing definitions; providing for grounds for denial or revocation of an assuming insurer’s accreditation; providing criteria for the disallowance of credit for reinsurance for a ceding insurer; providing for the payment of costs and expenses; providing conditions for the allowance or disallowance of credit for reinsurance for assuming insurers maintaining trust funds in qualified United States financial institutions; providing intent that there is no conflict with arbitration agreements; providing for security; providing for the inclusion of certain health maintenance organizations within the term “ceding insurer”; providing conditions for the disallowance of credit with respect to a ceding domestic insurer; providing conditions for credit for reinsurance in cases of insolvency; providing for rights against a reinsurer; providing prohibitions applying to authorized insurers, other than certain surplus lines insurance; providing procedures and information required for a summary statement of each treaty; providing for exemptions from requirement of summary statements; providing for waiver; providing for cancellation; providing that there is no credit when there is no transfer of risk; granting authority to the Department of Insurance for rulemaking; requiring compliance with certain standards; requiring termination of approval of certain reinsurers under certain circumstances; providing an effective date for the application of cessions; providing an effective date.

—was substituted for CS/HB 247 and read the second time by title. Under Rule 50, the House bill was laid on the table.

Representative(s) Cosgrove offered the following:

(Amendment Bar Code: 090375)

Amendment 1 (with title amendment)—On page 24, between lines 20-21,

insert:

Section 3. Subsection (2) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(2) *HURRICANE WINDSTORM INSURANCE RISK APPORTIONMENT.*—

(a) Agreements may be made among property insurers with respect to the equitable apportionment among them of insurance which may be afforded applicants who are in good faith entitled to, but are unable to procure, such insurance through ordinary methods; and such insurers may agree among themselves on the use of reasonable rate modifications for such insurance. Such agreements and rate modifications shall be subject to the applicable provisions of this chapter.

(b) The department shall require all insurers holding a certificate of authority to transact property insurance on a direct basis in this state, other than joint underwriting associations and other entities formed pursuant to this section, to provide *hurricane windstorm* coverage to applicants from areas determined to be eligible pursuant to paragraph (c) who in good faith are entitled to, but are unable to procure, such coverage through ordinary means; or it shall adopt a reasonable plan or plans for the equitable apportionment or sharing among such insurers of *hurricane windstorm* coverage, which may include formation of an association for this purpose. As used in this subsection, the term “property insurance” means insurance on real or personal property, as defined in s. 624.604, including insurance for fire, industrial fire, allied lines, farmowners multiperil, homeowners’ multiperil, commercial multiperil, and mobile homes, and including liability coverages on all such insurance, but excluding inland marine as defined in s. 624.607(3) and excluding vehicle insurance as defined in s. 624.605(1)(a) other than insurance on mobile homes used as permanent dwellings. The

department shall adopt rules that provide a formula for the recovery and repayment of any deferred assessments.

1. For the purpose of this section, properties eligible for such ~~hurricane windstorm~~ coverage are defined as dwellings, buildings, and other structures, including mobile homes which are used as dwellings and which are tied down in compliance with mobile home tie-down requirements prescribed by the Department of Highway Safety and Motor Vehicles pursuant to s. 320.8325, and the contents of all such properties. An applicant or policyholder is eligible for coverage only if an offer of coverage cannot be obtained by or for the applicant or policyholder from an admitted insurer at approved rates.

2.a.(I) All insurers required to be members of such association shall participate in its writings, expenses, and losses. Surplus of the association shall be retained for the payment of claims and shall not be distributed to the member insurers. Such participation by member insurers shall be in the proportion that the net direct premiums of each member insurer written for property insurance in this state during the preceding calendar year bear to the aggregate net direct premiums for property insurance of all member insurers, as reduced by any credits for voluntary writings, in this state during the preceding calendar year. For the purposes of this subsection, the term "net direct premiums" means direct written premiums for property insurance, reduced by premium for liability coverage and for the following if included in allied lines: rain and hail on growing crops; livestock; association direct premiums booked; National Flood Insurance Program direct premiums; and similar deductions specifically authorized by the plan of operation and approved by the department. A member's participation shall begin on the first day of the calendar year following the year in which it is issued a certificate of authority to transact property insurance in the state and shall terminate 1 year after the end of the calendar year during which it no longer holds a certificate of authority to transact property insurance in the state. The commissioner, after review of annual statements, other reports, and any other statistics that the commissioner deems necessary, shall certify to the association the aggregate direct premiums written for property insurance in this state by all member insurers.

(II) The plan of operation shall provide for a board of directors consisting of the Insurance Consumer Advocate appointed under s. 627.0613, ~~four~~ ^{four} consumer ~~representatives~~ ^{representative} appointed by the Insurance Commissioner, ~~four~~ ^{four} consumer ~~representatives~~ ^{representative} appointed by the Governor, and ~~six~~ ^{six} ~~12~~ additional members appointed as specified in the plan of operation. One of the ~~six~~ ^{six} ~~12~~ additional members shall be elected by the domestic companies of this state on the basis of cumulative weighted voting based on the net direct premiums of domestic companies in this state. ~~Nothing in the 1997 amendments to this paragraph terminates the existing board or the terms of any members of the board.~~

(III) The plan of operation shall provide a formula whereby a company voluntarily providing ~~hurricane windstorm~~ coverage in affected areas will be relieved wholly or partially from apportionment of a regular assessment pursuant to sub-sub-subparagraph d.(I) or sub-sub-subparagraph d.(II).

(IV) A company which is a member of a group of companies under common management may elect to have its credits applied on a group basis, and any company or group may elect to have its credits applied to any other company or group.

(V) There shall be no credits or relief from apportionment to a company for emergency assessments collected from its policyholders under sub-sub-subparagraph d.(III).

(VI) The plan of operation may also provide for the award of credits, for a period not to exceed 3 years, from a regular assessment pursuant to sub-sub-subparagraph d.(I) or sub-sub-subparagraph d.(II) as an incentive for taking policies out of the Residential Property and Casualty Joint Underwriting Association. In order to qualify for the exemption under this sub-sub-subparagraph, the take-out plan must provide that at least 40 percent of the policies removed from the Residential Property and Casualty Joint Underwriting Association

cover risks located in Dade, Broward, and Palm Beach Counties or at least 30 percent of the policies so removed cover risks located in Dade, Broward, and Palm Beach Counties and an additional 50 percent of the policies so removed cover risks located in other coastal counties, and must also provide that no more than 15 percent of the policies so removed may exclude ~~hurricane windstorm~~ coverage. With the approval of the department, the association may waive these geographic criteria for a take-out plan that removes at least the lesser of 100,000 Residential Property and Casualty Joint Underwriting Association policies or 15 percent of the total number of Residential Property and Casualty Joint Underwriting Association policies, provided the governing board of the Residential Property and Casualty Joint Underwriting Association certifies that the take-out plan will materially reduce the Residential Property and Casualty Joint Underwriting Association's 100-year probable maximum loss from hurricanes. With the approval of the department, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the Residential Property and Casualty Joint Underwriting Association, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies removed from the Residential Property and Casualty Joint Underwriting Association.

b. Assessments to pay deficits in the association under this subparagraph shall be included as an appropriate factor in the making of rates as provided in s. 627.3512.

c. The Legislature finds that the potential for unlimited deficit assessments under this subparagraph may induce insurers to attempt to reduce their writings in the voluntary market, and that such actions would worsen the availability problems that the association was created to remedy. It is the intent of the Legislature that insurers remain fully responsible for paying regular assessments and collecting emergency assessments for any deficits of the association; however, it is also the intent of the Legislature to provide a means by which assessment liabilities may be amortized over a period of years.

d.(I) When the deficit incurred in a particular calendar year is 10 percent or less of the aggregate statewide direct written premium for property insurance for the prior calendar year for all member insurers, the association shall levy an assessment on member insurers in an amount equal to the deficit.

(II) When the deficit incurred in a particular calendar year exceeds 10 percent of the aggregate statewide direct written premium for property insurance for the prior calendar year for all member insurers, the association shall levy an assessment on member insurers in an amount equal to the greater of 10 percent of the deficit or 10 percent of the aggregate statewide direct written premium for property insurance for the prior calendar year for member insurers. Any remaining deficit shall be recovered through emergency assessments under sub-sub-subparagraph (III).

(III) Upon a determination by the board of directors that a deficit exceeds the amount that will be recovered through regular assessments on member insurers, pursuant to sub-sub-subparagraph (I) or sub-sub-subparagraph (II), the board shall levy, after verification by the department, emergency assessments to be collected by member insurers and by underwriting associations created pursuant to this section which write property insurance, upon issuance or renewal of property insurance policies other than National Flood Insurance policies in the year or years following levy of the regular assessments. The amount of the emergency assessment collected in a particular year shall be a uniform percentage of that year's direct written premium for property insurance for all member insurers and underwriting associations, excluding National Flood Insurance policy premiums, as annually determined by the board and verified by the department. The department shall verify the arithmetic calculations involved in the board's determination within 30 days after receipt of the information on which the determination was based. Notwithstanding any other provision of law, each member insurer and each underwriting association created pursuant to this section shall collect emergency assessments from its policyholders without such obligation being

affected by any credit, limitation, exemption, or deferment. The emergency assessments so collected shall be transferred directly to the association on a periodic basis as determined by the association. The aggregate amount of emergency assessments levied under this sub-sub-subparagraph in any calendar year may not exceed the greater of 10 percent of the amount needed to cover the original deficit, plus interest, fees, commissions, required reserves, and other costs associated with financing of the original deficit, or 10 percent of the aggregate statewide direct written premium for property insurance written by member insurers and underwriting associations for the prior year, plus interest, fees, commissions, required reserves, and other costs associated with financing the original deficit. The board may pledge the proceeds of the emergency assessments under this sub-sub-subparagraph as the source of revenue for bonds, to retire any other debt incurred as a result of the deficit or events giving rise to the deficit, or in any other way that the board determines will efficiently recover the deficit. The emergency assessments under this sub-sub-subparagraph shall continue as long as any bonds issued or other indebtedness incurred with respect to a deficit for which the assessment was imposed remain outstanding, unless adequate provision has been made for the payment of such bonds or other indebtedness pursuant to the document governing such bonds or other indebtedness. Emergency assessments collected under this sub-sub-subparagraph are not part of an insurer's rates, are not premium, and are not subject to premium tax, fees, or commissions; however, failure to pay the emergency assessment shall be treated as failure to pay premium.

(IV) Each member insurer's share of the total regular assessments under sub-sub-subparagraph (I) or sub-sub-subparagraph (II) shall be in the proportion that the insurer's net direct premium for property insurance in this state, for the year preceding the assessment bears to the aggregate statewide net direct premium for property insurance of all member insurers, as reduced by any credits for voluntary writings for that year.

(V) If regular deficit assessments are made under sub-sub-subparagraph (I) or sub-sub-subparagraph (II), or by the Residential Property and Casualty Joint Underwriting Association under sub-subparagraph (6)(b)3.a. or sub-subparagraph (6)(b)3.b., the association shall levy upon the association's policyholders, as part of its next rate filing, or by a separate rate filing solely for this purpose, a market equalization surcharge in a percentage equal to the total amount of such regular assessments divided by the aggregate statewide direct written premium for property insurance for member insurers for the prior calendar year. Market equalization surcharges under this sub-sub-subparagraph are not considered premium and are not subject to commissions, fees, or premium taxes; however, failure to pay a market equalization surcharge shall be treated as failure to pay premium.

e. The governing body of any unit of local government, any residents of which are insured under the plan, may issue bonds as defined in s. 125.013 or s. 166.101 to fund an assistance program, in conjunction with the association, for the purpose of defraying deficits of the association. In order to avoid needless and indiscriminate proliferation, duplication, and fragmentation of such assistance programs, any unit of local government, any residents of which are insured by the association, may provide for the payment of losses, regardless of whether or not the losses occurred within or outside of the territorial jurisdiction of the local government. Revenue bonds may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to s. 252.36 making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and the protection and preservation of the economic stability of insurers operating in this state, and declaring it an essential public purpose to permit certain municipalities or counties to issue bonds as will provide relief to claimants and policyholders of the association and insurers responsible for apportionment of plan losses. Any such unit of local government may enter into such contracts with the association and with any other entity created pursuant to this subsection as are necessary to carry out this paragraph. Any bonds issued under this sub-subparagraph shall be payable from and secured by moneys received by the association from

assessments under this subparagraph, and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government shall not be pledged for the payment of such bonds. If any of the bonds remain unsold 60 days after issuance, the department shall require all insurers subject to assessment to purchase the bonds, which shall be treated as admitted assets; each insurer shall be required to purchase that percentage of the unsold portion of the bond issue that equals the insurer's relative share of assessment liability under this subsection. An insurer shall not be required to purchase the bonds to the extent that the department determines that the purchase would endanger or impair the solvency of the insurer. The authority granted by this sub-subparagraph is additional to any bonding authority granted by subparagraph 6.

3. The plan shall also provide that any member with a surplus as to policyholders of \$20 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the department, within the first 90 days of each calendar year, to qualify as a limited apportionment company. The apportionment of such a member company in any calendar year for which it is qualified shall not exceed its gross participation, which shall not be affected by the formula for voluntary writings. In no event shall a limited apportionment company be required to participate in any apportionment of losses pursuant to sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II) in the aggregate which exceeds \$50 million after payment of available plan funds in any calendar year. However, a limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-sub-subparagraph 2.d.(III). The plan shall provide that, if the department determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the department may direct that all or part of such assessment be deferred. However, there shall be no limitation or deferment of an emergency assessment to be collected from policyholders under sub-sub-subparagraph 2.d.(III).

4. The plan shall provide for the deferment, in whole or in part, of a regular assessment of a member insurer under sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II), but not for an emergency assessment collected from policyholders under sub-sub-subparagraph 2.d.(III), if, in the opinion of the commissioner, payment of such regular assessment would endanger or impair the solvency of the member insurer. In the event a regular assessment against a member insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other member insurers in a manner consistent with the basis for assessments set forth in sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II).

5.a. The plan of operation may include deductibles and rules for classification of risks and rate modifications consistent with the objective of providing and maintaining funds sufficient to pay catastrophe losses.

b. The association may require arbitration of a rate filing under s. 627.062(6). It is the intent of the Legislature that the rates for coverage provided by the association be actuarially sound and not competitive with approved rates charged in the admitted voluntary market such that the association functions as a residual market mechanism to provide insurance only when the insurance cannot be procured in the voluntary market. The plan of operation shall provide a mechanism to assure that, beginning no later than January 1, 1999, the rates charged by the association for each line of business are reflective of approved rates in the voluntary market for hurricane coverage for each line of business in the various areas eligible for association coverage.

c. The association shall provide for ~~hurricane windstorm~~ coverage on residential properties in limits up to \$10 million for commercial lines residential risks and up to \$1 million for personal lines residential risks. If coverage with the association is sought for a residential risk valued in excess of these limits, coverage shall be available to the risk up to the replacement cost or actual cash value of the property, at the option of the insured, if coverage for the risk cannot be located in the authorized market. The association must accept a commercial lines residential risk

with limits above \$10 million or a personal lines residential risk with limits above \$1 million if coverage is not available in the authorized market. The association may write coverage above the limits specified in this subparagraph with or without facultative or other reinsurance coverage, as the association determines appropriate.

d. The plan of operation must provide objective criteria and procedures, approved by the department, to be uniformly applied for all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following shall be considered:

(I) Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

(II) Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the association pursuant to such criteria and procedures must be construed as the private placement of insurance, and the provisions of chapter 120 do not apply.

e. The plan of operation must provide for an insured's choice of full replacement cost or actual cash value for all covered losses, at a cost of no more than the approved rate of the authorized insurer with the highest percentage of market share.

f.e. The policies issued by the association must provide that if the association obtains an offer from an authorized insurer to cover the risk at its approved rates under either a standard policy including *hurricane wind* coverage or, if consistent with the insurer's underwriting rules as filed with the department, a basic policy including *hurricane wind* coverage, the risk is no longer eligible for coverage through the association. Upon termination of eligibility, the association shall provide written notice to the policyholder and agent of record stating that the association policy must be canceled as of 60 days after the date of the notice because of the offer of coverage from an authorized insurer. Other provisions of the insurance code relating to cancellation and notice of cancellation do not apply to actions under this sub-subparagraph.

g.f. Association policies and applications must include a notice that the association policy could, under this section, be replaced with a policy issued by an authorized insurer that does not provide coverage identical to the coverage provided by the association. The notice shall also specify that acceptance of association coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

h. The plan shall provide for granting credits against premiums for policies issued by the association for:

(I) Separate flood insurance.

(II) Separating out any peril other than hurricane that might otherwise be covered under policies issued by the association.

(III) Mitigation of loss from damage resulting from a hurricane.

6.a. The plan of operation may authorize the formation of a private nonprofit corporation, a private nonprofit unincorporated association, a partnership, a trust, a limited liability company, or a nonprofit mutual company which may be empowered, among other things, to borrow money by issuing bonds or by incurring other indebtedness and to accumulate reserves or funds to be used for the payment of insured catastrophe losses. The plan may authorize all actions necessary to facilitate the issuance of bonds, including the pledging of assessments or other revenues.

b. Any entity created under this subsection, or any entity formed for the purposes of this subsection, may sue and be sued, may borrow money; issue bonds, notes, or debt instruments; pledge or sell assessments, market equalization surcharges and other surcharges, rights, premiums, contractual rights, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, and other assets as security for such bonds, notes, or debt instruments; enter into any contracts or agreements necessary or proper to

accomplish such borrowings; and take other actions necessary to carry out the purposes of this subsection. The association may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (g)2., in the absence of a hurricane or other weather-related event, upon a determination by the association subject to approval by the department that such action would enable it to efficiently meet the financial obligations of the association and that such financings are reasonably necessary to effectuate the requirements of this subsection. Any such entity may accumulate reserves and retain surpluses as of the end of any association year to provide for the payment of losses incurred by the association during that year or any future year. The association shall incorporate and continue the plan of operation and articles of agreement in effect on the effective date of chapter 76-96, Laws of Florida, to the extent that it is not inconsistent with chapter 76-96, and as subsequently modified consistent with chapter 76-96. The board of directors and officers currently serving shall continue to serve until their successors are duly qualified as provided under the plan. The assets and obligations of the plan in effect immediately prior to the effective date of chapter 76-96 shall be construed to be the assets and obligations of the successor plan created herein.

c. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness issued or incurred by the association or any other entity created under this subsection.

7. On such coverage, an agent's remuneration shall be that amount of money payable to the agent by the terms of his or her contract with the company with which the business is placed. However, no commission will be paid on that portion of the premium which is in excess of the standard premium of that company.

8. Subject to approval by the department, the association may establish different eligibility requirements and operational procedures for any line or type of coverage for any specified eligible area or portion of an eligible area if the board determines that such changes to the eligibility requirements and operational procedures are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods would continue to have access to coverage from the association. When coverage is sought in connection with a real property transfer, such requirements and procedures shall not provide for an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

9. Notwithstanding any other provision of law:

a. The pledge or sale of, the lien upon, and the security interest in any rights, revenues, or other assets of the association created or purported to be created pursuant to any financing documents to secure any bonds or other indebtedness of the association shall be and remain valid and enforceable, notwithstanding the commencement of and during the continuation of, and after, any rehabilitation, insolvency, liquidation, bankruptcy, receivership, conservatorship, reorganization, or similar proceeding against the association under the laws of this state or any other applicable laws.

b. No such proceeding shall relieve the association of its obligation, or otherwise affect its ability to perform its obligation, to continue to collect, or levy and collect, assessments, market equalization or other surcharges, projected recoveries from the Florida Hurricane Catastrophe Fund, reinsurance recoverables, or any other rights, revenues, or other assets of the association pledged.

c. Each such pledge or sale of, lien upon, and security interest in, including the priority of such pledge, lien, or security interest, any such assessments, emergency assessments, market equalization or renewal surcharges, projected recoveries from the Florida Hurricane Catastrophe Fund, reinsurance recoverables, or other rights, revenues,

or other assets which are collected, or levied and collected, after the commencement of and during the pendency of or after any such proceeding shall continue unaffected by such proceeding.

d. As used in this subsection, the term "financing documents" means any agreement, instrument, or other document now existing or hereafter created evidencing any bonds or other indebtedness of the association or pursuant to which any such bonds or other indebtedness has been or may be issued and pursuant to which any rights, revenues, or other assets of the association are pledged or sold to secure the repayment of such bonds or indebtedness, together with the payment of interest on such bonds or such indebtedness, or the payment of any other obligation of the association related to such bonds or indebtedness.

e. Any such pledge or sale of assessments, revenues, contract rights or other rights or assets of the association shall constitute a lien and security interest, or sale, as the case may be, that is immediately effective and attaches to such assessments, revenues, contract, or other rights or assets, whether or not imposed or collected at the time the pledge or sale is made. Any such pledge or sale is effective, valid, binding, and enforceable against the association or other entity making such pledge or sale, and valid and binding against and superior to any competing claims or obligations owed to any other person or entity, including policyholders in this state, asserting rights in any such assessments, revenues, contract, or other rights or assets to the extent set forth in and in accordance with the terms of the pledge or sale contained in the applicable financing documents, whether or not any such person or entity has notice of such pledge or sale and without the need for any physical delivery, recordation, filing, or other action.

f. There shall be no liability on the part of, and no cause of action of any nature shall arise against, any member insurer or its agents or employees, agents or employees of the association, members of the board of directors of the association, or the department or its representatives, for any action taken by them in the performance of their duties or responsibilities under this subsection. Such immunity does not apply to actions for breach of any contract or agreement pertaining to insurance, or any willful tort.

(c) The provisions of paragraph (b) are applicable only with respect to:

1. Those areas that were eligible for coverage under this subsection on April 9, 1993; or

2. Any county or area as to which the department, after public hearing, finds that the following criteria exist:

a. Due to the lack of *hurricane windstorm* insurance coverage in the county or area so affected, economic growth and development is being deterred or otherwise stifled in such county or area, mortgages are in default, and financial institutions are unable to make loans;

b. The county or area so affected has adopted and is enforcing the structural requirements of the State Minimum Building Codes, as defined in s. 553.73, for new construction and has included adequate minimum floor elevation requirements for structures in areas subject to inundation; and

c. Extending *hurricane windstorm* insurance coverage to such county or area is consistent with and will implement and further the policies and objectives set forth in applicable state laws, rules, and regulations governing coastal management, coastal construction, comprehensive planning, beach and shore preservation, barrier island preservation, coastal zone protection, and the Coastal Zone Protection Act of 1985.

Any time after the department has determined that the criteria referred to in this subparagraph do not exist with respect to any county or area of the state, *the department shall it may*, after a subsequent public hearing, declare that such county or area is no longer eligible for *hurricane windstorm* coverage through the plan.

(d) For the purpose of evaluating whether the criteria of paragraph (c) are met, such criteria shall be applied as the situation would exist if

policies had not been written by the Florida Residential Property and Casualty Joint Underwriting Association and property insurance for such policyholders was not available.

(e) Notwithstanding the provisions of subparagraph (c)2. or paragraph (d), eligibility shall not be extended to any area that was not eligible on March 1, 1997, except that the department may act with respect to any petition on which a hearing was held prior to May 9, 1997.

(f) *After October 1, 2000, and notwithstanding any other provision of this subsection, no area or county shall be eligible for hurricane coverage through the plan for more than 2 consecutive years. Any area or county which wishes to remain eligible for hurricane coverage through the plan after the expiration of any such period of eligibility shall petition the department for a redetermination of eligibility for such coverage under this subsection.*

And the title is amended as follows:

On page 2, line 11, after the semicolon,

insert: amending s. 627.351, F.S.; limiting application of insurance risk of the Florida Windstorm Underwriting Association to hurricanes only; revising the membership of the board of directors under the association's plan of operation; requiring the plan to provide for an insured's choice of actual cash value or full replacement cost of certain losses; specifying a rate limitation; requiring the association's plan to provide for credits for certain actions or alternative coverages; requiring the Department of Insurance to declare certain areas or counties ineligible for coverage through the plan under certain circumstances; limiting the time of eligibility for coverage under the association's plan;

Rep. Cosgrove moved the adoption of the amendment.

Point of Order

Rep. Bainter raised a point of order, under Rule 146, that the amendment was the principal subject of another bill under consideration by the House.

Rep. Arnall, Chair of the Committee on Rules & Calendar, in speaking to the point of order on Amendment 1, stated that the amendment was the principal substance of HB 477, which was in the Committee on Insurance.

The Chair [Speaker Thrasher], upon the recommendation of Rep. Arnall, Chair of the Committee on Rules & Calendar, ruled the point well taken and the amendment out of order.

Representative(s) Cosgrove offered the following:

(Amendment Bar Code: 934785)

Amendment 2 (with title amendment)—On page 24, between lines 20-21,

insert:

Section 3. *The Florida Windstorm Underwriting Association shall not require flood insurance coverage as a precondition to policyholder or applicant eligibility for coverage by the association; however, the association may offer to reduce policy premiums for any policyholder or applicant who has flood insurance coverage.*

And the title is amended as follows:

On page 2, line 11, after the semicolon,

insert: prohibiting the association from requiring flood insurance under certain circumstances; authorizing certain premium reductions under certain circumstances;

Rep. Cosgrove moved the adoption of the amendment.

Point of Order

Rep. Bainter raised a point of order, under Rule 146, that the amendment was the principal subject of another bill under consideration by the House.

Rep. Arnall, Chair of the Committee on Rules & Calendar, in speaking to the point of order on Amendment 2, stated that the amendment was the principal substance of HB 15, which was in the Committee on Insurance.

The Chair [Speaker Thrasher], upon the recommendation of Rep. Arnall, Chair of the Committee on Rules & Calendar, ruled the point well taken and the amendment out of order.

Rep. Cosgrove moved to suspend the rules to admit **Amendment 2**, the Speaker's ruling in respect to the application of Rule 146 notwithstanding, which was not agreed to.

The vote was:

Session Vote Sequence: 122

Yeas—36

Betancourt	Eggelletion	Jacobs	Ryan
Bloom	Frankel	Kosmas	Smith, C.
Boyd	Gottlieb	Lee	Sobel
Brown	Greene, A.	Levine	Sorensen
Bullard	Greenstein	Miller, L.	Stafford
Bush	Hafner	Rayson	Suarez
Cosgrove	Henriquez	Reddick	Turnbull
Diaz de la Portilla, R.	Heyman	Ritchie	Wiles
Edwards	Hill	Ritter	Wilson

Nays—71

The Chair	Constantine	Johnson	Putnam
Albright	Crady	Jones	Rojas
Alexander	Crist	Kelly	Rubio
Andrews	Crow	Kilmer	Russell
Argenio	Detert	Kyle	Sanderson
Argenziano	Dockery	Littlefield	Sembler
Arnall	Farkas	Lynn	Spratt
Bainter	Fasano	Maygarden	Stansel
Barreiro	Feeney	Merchant	Starks
Bense	Fiorentino	Miller, J.	Sublette
Bilirakis	Fuller	Minton	Trovillion
Bitner	Futch	Morroni	Tullis
Bradley	Gay	Murman	Villalobos
Bronson	Goode	Ogles	Wallace
Brummer	Goodlette	Patterson	Wasserman Schultz
Byrd	Green, C.	Posey	Waters
Cantens	Harrington	Prieguez	Wise
Casey	Hart	Pruitt	

Votes after roll call:

Nays—Peaden

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

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

Messages from the Senate

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has refused to recede from Senate amendment to HB 2145 and requests that a conference committee be appointed.

The President has appointed the following Senators on the part of the Senate: Senator Burt, Chairman; Senators Myers, Latvala, Dyer and Horne, at large; Senators Childers, Kirkpatrick, Hargrett, Scott, Webster, Sullivan, Clary, Holzendorf, Silver, Kurth, Saunders, Laurent, Bronson, Campbell, and Alternates: Senators Mitchell and Diaz-Balart.

Faye W. Blanton, Secretary

HB 2145—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2000, and

ending June 30, 2001, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

On motion by Rep. Pruitt, the House acceded to the request of the Senate to appoint a conference committee.

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has refused to recede from Senate Amendment to HB 2147 and requests that a conference committee be appointed.

The President has appointed the following Senators on the part of the Senate: Senator Casas, Chairman; Senators Burt, King, Lee, and Rossin.

Faye W. Blanton, Secretary

HB 2147—A bill to be entitled An act implementing the 2000-2001 General Appropriations Act; providing legislative intent; providing for allocation of moneys provided for workforce development and providing for budget amendment when a program is moved; making certain findings regarding funds for the San Carlos Institute; amending s. 240.384, F.S.; requiring an audit and the transfer of certain funds relating to certain transferred criminal justice training programs; amending s. 240.2605, F.S.; requiring the Board of Regents to rank certain donations; requiring presidents of universities in the State University System to provide lists of certain donations; amending s. 11.13, F.S.; limiting compensation paid by a Florida governmental entity to a legislator during any legislative session; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 2000-2001 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; creating s. 409.9119, F.S.; creating a disproportionate share program for children's hospitals; providing formulas governing payments made to hospitals under the program; providing for withholding payments from a hospital that is not complying with agency rules; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; authorizing the Departments of Children and Family Services, Revenue, Management Services, and Health and the Agency for Health Care Administration to transfer positions and funds to comply with the 2000-2001 General Appropriations Act or the WAGES Act; amending s. 402.3015, F.S.; providing eligibility guidelines for subsidized child care; amending s. 39.3065, F.S.; providing for the Broward County Sheriff to provide child protective investigative services; requiring Healthy Families Florida service providers to furnish participants with certain disclaimers and documentation; prohibiting disclosure of certain records by such providers; providing for disposal of records after a specified period; amending s. 409.912, F.S.; extending additional responsibilities of the Agency for Health Care Administration in fostering cost-effective purchasing of health care; amending s. 287.084, F.S.; allowing consideration of certain vendors in a request for proposals relating to telemedicine by the Glades School District; authorizing the Department of Law Enforcement to use certain moneys to provide meritorious-performance bonuses for employees, subject to approval; authorizing the Correctional Privatization Commission to make certain expenditures to defray costs incurred by a municipality or county as a result of opening a facility of the commission or the department; authorizing the Department of Legal Affairs to transfer certain funds between trust funds; providing for reimbursement for purchase of retirement credit by employees of the public defender; restricting releases of juvenile justice prevention funds; amending s. 216.181, F.S.; authorizing the Department of Transportation to transfer salary rate to the turnpike budget entity to facilitate transferring personnel to the turnpike headquarters facility in Orange County; amending s. 252.373, F.S.;

providing for use of funds of the Emergency Management, Preparedness, and Assistance Trust Fund to improve, and increase the number of, disaster shelters in the state and improve local disaster preparedness; restricting release of economic development tools funds and requiring reversion at end of fiscal year; amending s. 212.20, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; amending s. 403.7095, F.S., relating to the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; providing for allocation of funds for innovative programs to address recycling practices and procedures; amending s. 373.59, F.S.; requiring release of certain moneys by the Secretary of Environmental Protection to water management districts, upon request; authorizing the Department of Agriculture and Consumer Services to use certain funds for expenses associated with its administrative and regulatory powers and duties; requiring transfer of certain property by the Department of Business and Professional Regulation to the University of Florida; providing for future repeal of various provisions; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing performance measures and standards for individual programs within state agencies; providing that the performance measures and standards are directly linked to the appropriations made in the 2000-2001 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing an effective date.

On motion by Rep. Pruitt, the House acceded to the request of the Senate to appoint a conference committee.

The Speaker appointed the following Members as managers on the part of the House on HBs 2145 and 2147 (general appropriations and implementing bills) to serve with Reps. Pruitt (Chair) and L. Miller (Vice Chair): At Large—Reps. Bradley, Lacasa, Jones, Feeney, Dockery, Garcia, Logan, Lawson, Maygarden, Wasserman Schultz, Roberts, Bitner (alternate), and Bloom (alternate); Criminal Justice Appropriations—Rep. Villalobos (Chair), Reps. Ball, Crist, Crady, J. Miller, Ryan (alternate), and Bush (alternate); Education Appropriations—Rep. Wise (Chair), Reps. Chestnut, Constantine, Lynn, Melvin, Turnbull, Alexander (alternate), and Greenstein (alternate); General Government Appropriations—Rep. Sembler (Chair), Reps. Byrd, Bense, Eggelletion, Minton, Gay (alternate), and Putnam (alternate); Health & Human Services Appropriations—Rep. Sanderson (Chair), Reps. Casey, Farkas, Hafner, Murman, Peaden, A. Greene (alternate), and Littlefield (alternate); Transportation & Economic Development Appropriations—Rep. Fuller (Chair), Reps. Crow, Kyle, K. Smith, Reddick, Bronson (alternate), Harrington (alternate), and Johnson (alternate).

The action on HBs 2145 and 2147 was immediately certified to the Senate.

Continuation of Special Orders

Continuation of Other Bills on Special Orders

HB 105—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.092, F.S.; providing an exception to the requirement for assessing taxes to a current owner of property that has previously escaped taxation; amending s. 196.161, F.S.; providing a waiver of penalty and interest in specified instances wherein a taxpayer erroneously receives a homestead tax exemption; amending s. 200.065, F.S.; revising the procedure by which a property appraiser may correct an error in notices of proposed taxes; creating s. 201.205, F.S.; prohibiting the deliberate use of excess documentary stamps; providing criminal penalties; providing an effective date.

—was read the second time by title.

The Committee on Finance & Taxation offered the following:

(Amendment Bar Code: 570347)

Amendment 1 (with title amendment)—On page 1, line 20 remove from the bill: everything after the enacting clause

and insert in lieu thereof:

Section 1. Section 193.092, Florida Statutes, is amended to read:

193.092 Assessment of property for back taxes.—

(1) When it shall appear that any ad valorem tax might have been lawfully assessed or collected upon any property in the state, but that such tax was not lawfully assessed or levied, and has not been collected for any year within a period of 3 years next preceding the year in which it is ascertained that such tax has not been assessed, or levied, or collected, then the officers authorized shall make the assessment of taxes upon such property in addition to the assessment of such property for the current year, and shall assess the same separately for such property as may have escaped taxation at and upon the basis of valuation applied to such property for the year or years in which it escaped taxation, noting distinctly the year when such property escaped taxation and such assessment shall have the same force and effect as it would have had if it had been made in the year in which the property shall have escaped taxation, and taxes shall be levied and collected thereon in like manner and together with taxes for the current year in which the assessment is made. But no property shall be assessed for more than 3 years' arrears of taxation, and all property so escaping taxation shall be subject to such taxation to be assessed in whomsoever's hands or possession the same may be found, *except that property acquired by a bona fide purchaser shall not be subject to assessment for taxes for any time prior to the time of such purchase, but the individual or corporation who owned the property at the time of assessment shall become personally liable for same*; provided, that the county property appraiser shall not assess any lot or parcel of land certified or sold to the state for any previous years unless such lot or parcel of lands so certified or sold shall be included in the list furnished by the Comptroller to the county property appraiser as provided by law; provided, if real or personal property be assessed for taxes, and because of litigation delay ensues and the assessment be held invalid the taxing authorities, may reassess such property within the time herein provided after the termination of such litigation; provided further, that personal property acquired in good faith by purchase shall not be subject to assessment for taxes for any time prior to the time of such purchase, but the individual or corporation liable for any such assessment shall continue personally liable for same. *As used in this subsection, the term "bona fide purchaser" means a purchaser for value, in good faith, and without notice of any escaped taxation or adverse claim.*

(2) ~~The provisions of~~ This section *applies* shall apply to property of every class and kind upon which ad valorem tax is assessable by any state or county authority under the laws of the state.

Section 2. Paragraph (b) of subsection (1) of section 196.161, Florida Statutes, is amended to read:

196.161 Homestead exemptions; lien imposed on property of person claiming exemption although not a permanent resident.—

(1)

(b) In addition, upon determination by the property appraiser that for any year or years within the prior 10 years a person who was not entitled to a homestead exemption was granted a homestead exemption from ad valorem taxes, it shall be the duty of the property appraiser making such determination to serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and such property shall be identified in the notice of tax lien. Such property which is situated in this state shall be subject to the taxes exempted thereby, plus a penalty of 50 percent of the unpaid taxes for each year and 15 percent interest per annum. However, if a homestead exemption is improperly granted as a result of a clerical mistake, or an omission by the property appraiser, or as a result of a transfer of title as described in s. 193.155(3) and the person would otherwise be entitled to the homestead exemption on that property, the person improperly receiving the exemption shall not be assessed penalty and interest. *The waiver of assessed penalty and interest is inapplicable to transfers made under s. 193.155(3) if the intent of the transfer is to avoid the payment of such assessed penalty and interest.* Before any such lien may be filed, the

owner so notified must be given 30 days to pay the taxes, penalties, and interest.

Section 3. Section 196.198, Florida Statutes, is amended to read:

196.198 Educational property exemption.—Educational institutions within this state and their property used by them or by any other exempt entity or educational institution exclusively for educational purposes shall be exempt from taxation. Sheltered workshops providing rehabilitation and retraining of disabled individuals and exempted by a certificate under s. (d) of the federal Fair Labor Standards Act of 1938, as amended, are declared wholly educational in purpose and shall be exempted from certification, accreditation, and membership requirements set forth in s. 196.012. Those portions of property of college fraternities and sororities certified by the president of the college or university to the appropriate property appraiser as being essential to the educational process, shall be exempt from ad valorem taxation. The use of property by public fairs and expositions chartered by chapter 616 is presumed to be an educational use of such property and shall be exempt from ad valorem taxation to the extent of such use. Property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of the educational institution is owned by the identical persons who own the property. *If legal title to property is held by a governmental agency that leases the property to a lessee, the property shall be deemed to be owned by the governmental agency and used exclusively for educational purposes if the governmental agency continues to use such property exclusively for educational purposes pursuant to a sublease or other contractual agreement with that lessee.* If the title to land is held by the trustee of an irrevocable inter vivos trust and if the trust grantor owns 100 percent of the entity that owns an educational institution that is using the land exclusively for educational purposes, the land is deemed to be property owned by the educational institution for purposes of this exemption. Property owned by an educational institution shall be deemed to be used for an educational purpose if the institution has taken affirmative steps to prepare the property for educational use. Affirmative steps means environmental or land use permitting activities, creation of architectural plans or schematic drawings, land clearing or site preparation, construction or renovation activities, or other similar activities that demonstrate commitment of the property to an educational use.

Section 4. Paragraph (a) of subsection (13) of section 200.065, Florida Statutes, is amended to read:

200.065 Method of fixing millage.—

(13)(a) If the notice of proposed property taxes mailed to taxpayers under this section contains an error, the property appraiser, in lieu of mailing a corrected notice to all taxpayers, may correct the error by mailing a short form of the notice to those taxpayers affected by the error and its correction. The notice shall be prepared by the property appraiser at the expense of the taxing authority which caused the error or at the property appraiser's expense if he or she caused the error. The form of the notice must be approved by the executive director of the Department of Revenue or the executive director's designee. *If the error involves only the date and time of the public hearings required by this section, the property appraiser, with the permission of the taxing authority affected by the error, may correct the error by advertising the corrected information in a newspaper of general circulation in the county as provided in subsection (3).*

Section 5. This act shall take effect upon becoming a law.

And the title is amended as follows:

On page 1, lines 2-16
remove from the title of the bill: all of said lines

and insert in lieu thereof: An act relating to ad valorem taxation; amending s. 193.092, F.S.; providing an exception to the requirement for assessing taxes to a current owner of property that has previously escaped taxation; amending s. 196.161, F.S.; providing a waiver of penalty and interest in specified instances wherein a taxpayer erroneously receives a homestead tax exemption; amending s. 196.198, F.S.; maintaining exemption from taxation for property leased from a

governmental agency if the agency continues to use the property exclusively for educational purposes; amending s. 200.065, F.S.; revising the procedure by which a property appraiser may correct an error in notices of proposed taxes; providing an effective date.

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

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

HB 1655 was temporarily postponed under Rule 141.

HB 1139—A bill to be entitled An act relating to consumer finance loan delinquency charges; amending s. 516.031, F.S.; authorizing a delinquency charge on consumer finance loans under certain circumstances; providing an effective date.

—was read the second time by title.

Representative(s) Littlefield offered the following:

(Amendment Bar Code: 943103)

Amendment 1 (with title amendment)—On page 2, between lines 28 and 29,

insert:

Section 2. Subsection (2) and subsections (3) of section 520.07, Florida Statutes, is amended to read:

520.07 Requirements and prohibitions as to retail installment contracts.—

(2) The contract shall contain the following:

(a) Amount financed.—The “amount financed,” using that term, and a brief description such as “the amount of credit provided to you or on your behalf.” The amount financed is calculated by:

1. Determining the cash price, and subtracting any down payment;

2. Adding any other amounts that are financed by the creditor and that are not part of the finance charge, including any additional amount financed in a retail installment contract to discharge a security interest, lien, or lease interest on a motor vehicle traded in in connection with the contract; and

3. Subtracting any prepaid finance charge.

(b) Finance charge.—The “finance charge,” using that term, and a brief description such as “the dollar amount the credit will cost you.”

(c) Total of payments.—The “total of payments,” using that term, and a descriptive explanation such as “the amount you will have paid when you have made all scheduled payments.”

(d) Total sale price.—In a credit sale, the “total sale price,” using that term, and a descriptive explanation, including the amount of any down payment, such as “the total price of your purchase on credit, including your down payment of \$” The total sale price is the sum of the cash price, the items described in subparagraph (a)2., and the finance charge disclosed under paragraph (b).

(e) *The number of scheduled payments, the amount of each payment, and the date of the first payment.*

Except for the requirement in subsection (3) that a separate written itemization of the amount financed be provided, a contract which complies with the federal Truth in Lending Act, 15 U.S.C. ss. 1601 et seq., or any accompanying regulations shall be deemed to comply with the provisions of this subsection and subsection (3). However, in any proceeding to enforce the provisions of this section, the burden of alleging and proving compliance with the federal Truth in Lending Act shall be on the party claiming compliance.

(3) The seller shall provide a separate written itemization of the amount financed, which itemization shall disclose the following:

- (a) The cash price;
- (b) The amount of down payment;
- (c) The difference between the amounts disclosed under paragraphs (a) and (b);
- (d) The amounts, if any, included for insurance and other benefits, specifying the types of coverages and benefits; *and*
- (e) Any taxes and official fees not included in the cash price; ~~and~~
- ~~(f) The number of scheduled payments, the amount of each payment, and the date of the first payment.~~

The itemization required by this subsection may appear on a disclosure statement separate from all other material, or it may be placed on the same document with the contract or other information so long as it is clearly and conspicuously segregated from everything else on the document.

(Renumber subsequent sections)

And the title is amended as follows:

On page 1, lines 2 through 5,
remove from the bill: all of said lines,

and insert in lieu thereof: An act relating to consumer finance; amending s. 516.031, F.S.; authorizing a delinquency charge on consumer finance loans under certain circumstances; amending s. 520.07, F.S.; revising the disclosure requirements for retail installments contracts;

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

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

HB 413 was taken up. On motion by Rep. Dockery, the rules were suspended and—

CS for SB 106—A bill to be entitled An act relating to insurance; amending s. 624.426, F.S.; providing an exemption to the countersignature law for specified insurance policies; providing an effective date.

—was substituted for HB 413 and read the second time by title. Under Rule 50, the House bill was laid on the table.

Representative(s) Bitner offered the following:

(Amendment Bar Code: 523805)

Amendment 1 (with title amendment)—

Remove from the bill: everything after the enacting clause

and insert in lieu thereof:

Section 1. Subsection (5) is added to section 624.426, Florida Statutes, to read:

624.426 Exceptions to resident agent and countersignature law.—
Section 624.425 does not apply to:

(5) *Policies of insurance issued by insurers whose agents represent, as to property, casualty, and surety insurance, only one company or group of companies under common ownership and for which a Florida resident agent is the agent of record and the application has been lawfully submitted to the insurer.*

Section 2. Paragraph (q) of subsection (1) of section 626.9541, Florida Statutes, is amended to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(q) Certain insurance transactions through credit card facilities prohibited.—

1. Except as provided in subparagraph 3., no person shall knowingly solicit or negotiate any insurance; seek or accept applications for insurance; issue or deliver any policy; receive, collect, or transmit premiums, to or for any insurer; or otherwise transact insurance in this state, or relative to a subject of insurance resident, located, or to be performed in this state, through the arrangement or facilities of a credit card facility or organization, for the purpose of insuring credit card holders or prospective credit card holders. The term "credit card holder" as used in this paragraph means any person who may pay the charge for purchases or other transactions through the credit card facility or organization, whose credit with such facility or organization is evidenced by a credit card identifying such person as being one whose charges the credit card facility or organization will pay, and who is identified as such upon the credit card either by name, account number, symbol, insignia, or any other method or device of identification. This subparagraph does not apply as to health insurance or to credit life, credit disability, or credit property insurance.

2. Whenever any person does or performs in this state any of the acts in violation of subparagraph 1. for or on behalf of any insurer or credit card facility, such insurer or credit card facility shall be held to be doing business in this state and, if an insurer, shall be subject to the same state, county, and municipal taxes as insurers that have been legally qualified and admitted to do business in this state by agents or otherwise are subject, the same to be assessed and collected against such insurers; and such person so doing or performing any of such acts shall be personally liable for all such taxes.

3. A licensed agent or insurer may solicit or negotiate any insurance; seek or accept applications for insurance; issue or deliver any policy; receive, collect, or transmit premiums, to or for any insurer; or otherwise transact insurance in this state, or relative to a subject of insurance resident, located, or to be performed in this state, through the arrangement or facilities of a credit card facility or organization, for the purpose of insuring credit card holders or prospective credit card holders if:

a. The insurance or policy which is the subject of the transaction is noncancelable by any person other than the named insured, the policyholder, or the insurer;

b. Any refund of unearned premium is made directly to the credit card holder; and

c. The credit card transaction is authorized by the signature of the credit card holder or other person authorized to sign on the credit card account.

The conditions enumerated in sub-subparagraphs a. through c. do not apply to health insurance or to credit life, credit disability, or credit property insurance; *and sub-subparagraph c. does not apply to property and casualty insurance so long as the transaction is authorized by the insured.*

4. No person may use or disclose information resulting from the use of a credit card in conjunction with the purchase of insurance, when such information is to the advantage of such credit card facility or an insurance agent, or is to the detriment of the insured or any other insurance agent; except that this provision does not prohibit a credit card facility from using or disclosing such information in any judicial proceeding or consistent with applicable law on credit reporting.

5. No such insurance shall be sold through a credit card facility in conjunction with membership in any automobile club. The term "automobile club" means a legal entity which, in consideration of dues, assessments, or periodic payments of money, promises its members or subscribers to assist them in matters relating to the ownership, operation, use, or maintenance of a motor vehicle; however, the definition of automobile clubs does not include persons, associations, or corporations which are organized and operated solely for the purpose of conducting, sponsoring, or sanctioning motor vehicle races, exhibitions, or contests upon race tracks, or upon race courses established and

marked as such for the duration of such particular event. The words "motor vehicle" used herein shall be the same as defined in chapter 320.

Section 3. Subsection (8) is added to section 627.7295, Florida Statutes, to read:

627.7295 Motor vehicle insurance contracts.—

(8) *Subsection (7) of this section does not apply if an insured or family member has previously purchased and has in effect a policy of private passenger motor vehicle insurance and is purchasing additional coverage or adding coverage for an additional vehicle, with such coverage being written by the same insurer or a member of the same insurer group.*

Section 4. This act shall take effect upon becoming a law.

And the title is amended as follows:

On page 1, lines 2-5
remove from the title of the bill: all of said lines

and insert in lieu thereof: An act relating to insurance policy sales and delivery procedures; amending s. 627.426, F.S.; relating to countersignature of certain insurance policies; creating an exception to the countersignature law; amending s. 626.9541, F.S.; relating to sales of insurance by credit card; amending s. 627.7295, F.S.; relating to insurance policy down payments; providing an effective date.

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

Representative(s) Cosgrove offered the following:

(Amendment Bar Code: 771051)

Amendment 2 (with title amendment)—On page 1, between lines 17 & 18,

insert:

Section 2. Subsection (2) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(2) ~~HURRICANE WINDSTORM INSURANCE RISK APPORTIONMENT.~~

(a) Agreements may be made among property insurers with respect to the equitable apportionment among them of insurance which may be afforded applicants who are in good faith entitled to, but are unable to procure, such insurance through ordinary methods; and such insurers may agree among themselves on the use of reasonable rate modifications for such insurance. Such agreements and rate modifications shall be subject to the applicable provisions of this chapter.

(b) The department shall require all insurers holding a certificate of authority to transact property insurance on a direct basis in this state, other than joint underwriting associations and other entities formed pursuant to this section, to provide ~~hurricane windstorm~~ coverage to applicants from areas determined to be eligible pursuant to paragraph (c) who in good faith are entitled to, but are unable to procure, such coverage through ordinary means; or it shall adopt a reasonable plan or plans for the equitable apportionment or sharing among such insurers of ~~hurricane windstorm~~ coverage, which may include formation of an association for this purpose. As used in this subsection, the term "property insurance" means insurance on real or personal property, as defined in s. 624.604, including insurance for fire, industrial fire, allied lines, farmowners multiperil, homeowners' multiperil, commercial multiperil, and mobile homes, and including liability coverages on all such insurance, but excluding inland marine as defined in s. 624.607(3) and excluding vehicle insurance as defined in s. 624.605(1)(a) other than insurance on mobile homes used as permanent dwellings. The department shall adopt rules that provide a formula for the recovery and repayment of any deferred assessments.

1. For the purpose of this section, properties eligible for such ~~hurricane windstorm~~ coverage are defined as dwellings, buildings, and

other structures, including mobile homes which are used as dwellings and which are tied down in compliance with mobile home tie-down requirements prescribed by the Department of Highway Safety and Motor Vehicles pursuant to s. 320.8325, and the contents of all such properties. An applicant or policyholder is eligible for coverage only if an offer of coverage cannot be obtained by or for the applicant or policyholder from an admitted insurer at approved rates.

2.a.(I) All insurers required to be members of such association shall participate in its writings, expenses, and losses. Surplus of the association shall be retained for the payment of claims and shall not be distributed to the member insurers. Such participation by member insurers shall be in the proportion that the net direct premiums of each member insurer written for property insurance in this state during the preceding calendar year bear to the aggregate net direct premiums for property insurance of all member insurers, as reduced by any credits for voluntary writings, in this state during the preceding calendar year. For the purposes of this subsection, the term "net direct premiums" means direct written premiums for property insurance, reduced by premium for liability coverage and for the following if included in allied lines: rain and hail on growing crops; livestock; association direct premiums booked; National Flood Insurance Program direct premiums; and similar deductions specifically authorized by the plan of operation and approved by the department. A member's participation shall begin on the first day of the calendar year following the year in which it is issued a certificate of authority to transact property insurance in the state and shall terminate 1 year after the end of the calendar year during which it no longer holds a certificate of authority to transact property insurance in the state. The commissioner, after review of annual statements, other reports, and any other statistics that the commissioner deems necessary, shall certify to the association the aggregate direct premiums written for property insurance in this state by all member insurers.

(II) The plan of operation shall provide for a board of directors consisting of the Insurance Consumer Advocate appointed under s. 627.0613, ~~four~~ ~~consumer representatives~~ ~~representative~~ appointed by the Insurance Commissioner, ~~four~~ ~~consumer representatives~~ ~~representative~~ appointed by the Governor, and ~~six~~ ~~12~~ additional members appointed as specified in the plan of operation. One of the ~~six~~ ~~12~~ additional members shall be elected by the domestic companies of this state on the basis of cumulative weighted voting based on the net direct premiums of domestic companies in this state. ~~Nothing in the 1997 amendments to this paragraph terminates the existing board or the terms of any members of the board.~~

(III) The plan of operation shall provide a formula whereby a company voluntarily providing ~~hurricane windstorm~~ coverage in affected areas will be relieved wholly or partially from apportionment of a regular assessment pursuant to sub-sub-subparagraph d.(I) or sub-sub-subparagraph d.(II).

(IV) A company which is a member of a group of companies under common management may elect to have its credits applied on a group basis, and any company or group may elect to have its credits applied to any other company or group.

(V) There shall be no credits or relief from apportionment to a company for emergency assessments collected from its policyholders under sub-sub-subparagraph d.(III).

(VI) The plan of operation may also provide for the award of credits, for a period not to exceed 3 years, from a regular assessment pursuant to sub-sub-subparagraph d.(I) or sub-sub-subparagraph d.(II) as an incentive for taking policies out of the Residential Property and Casualty Joint Underwriting Association. In order to qualify for the exemption under this sub-sub-subparagraph, the take-out plan must provide that at least 40 percent of the policies removed from the Residential Property and Casualty Joint Underwriting Association cover risks located in Dade, Broward, and Palm Beach Counties or at least 30 percent of the policies so removed cover risks located in Dade, Broward, and Palm Beach Counties and an additional 50 percent of the policies so removed cover risks located in other coastal counties, and must also provide that no more than 15 percent of the policies so removed may exclude ~~hurricane windstorm~~ coverage. With the approval

of the department, the association may waive these geographic criteria for a take-out plan that removes at least the lesser of 100,000 Residential Property and Casualty Joint Underwriting Association policies or 15 percent of the total number of Residential Property and Casualty Joint Underwriting Association policies, provided the governing board of the Residential Property and Casualty Joint Underwriting Association certifies that the take-out plan will materially reduce the Residential Property and Casualty Joint Underwriting Association's 100-year probable maximum loss from hurricanes. With the approval of the department, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the Residential Property and Casualty Joint Underwriting Association, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies removed from the Residential Property and Casualty Joint Underwriting Association.

b. Assessments to pay deficits in the association under this subparagraph shall be included as an appropriate factor in the making of rates as provided in s. 627.3512.

c. The Legislature finds that the potential for unlimited deficit assessments under this subparagraph may induce insurers to attempt to reduce their writings in the voluntary market, and that such actions would worsen the availability problems that the association was created to remedy. It is the intent of the Legislature that insurers remain fully responsible for paying regular assessments and collecting emergency assessments for any deficits of the association; however, it is also the intent of the Legislature to provide a means by which assessment liabilities may be amortized over a period of years.

d.(I) When the deficit incurred in a particular calendar year is 10 percent or less of the aggregate statewide direct written premium for property insurance for the prior calendar year for all member insurers, the association shall levy an assessment on member insurers in an amount equal to the deficit.

(II) When the deficit incurred in a particular calendar year exceeds 10 percent of the aggregate statewide direct written premium for property insurance for the prior calendar year for all member insurers, the association shall levy an assessment on member insurers in an amount equal to the greater of 10 percent of the deficit or 10 percent of the aggregate statewide direct written premium for property insurance for the prior calendar year for member insurers. Any remaining deficit shall be recovered through emergency assessments under sub-subparagraph (III).

(III) Upon a determination by the board of directors that a deficit exceeds the amount that will be recovered through regular assessments on member insurers, pursuant to sub-subparagraph (I) or sub-subparagraph (II), the board shall levy, after verification by the department, emergency assessments to be collected by member insurers and by underwriting associations created pursuant to this section which write property insurance, upon issuance or renewal of property insurance policies other than National Flood Insurance policies in the year or years following levy of the regular assessments. The amount of the emergency assessment collected in a particular year shall be a uniform percentage of that year's direct written premium for property insurance for all member insurers and underwriting associations, excluding National Flood Insurance policy premiums, as annually determined by the board and verified by the department. The department shall verify the arithmetic calculations involved in the board's determination within 30 days after receipt of the information on which the determination was based. Notwithstanding any other provision of law, each member insurer and each underwriting association created pursuant to this section shall collect emergency assessments from its policyholders without such obligation being affected by any credit, limitation, exemption, or deferment. The emergency assessments so collected shall be transferred directly to the association on a periodic basis as determined by the association. The aggregate amount of emergency assessments levied under this sub-subparagraph in any calendar year may not exceed the greater of 10 percent of the amount needed to cover the original deficit, plus interest, fees, commissions, required reserves, and other costs associated with financing of the original deficit, or 10 percent of the aggregate statewide

direct written premium for property insurance written by member insurers and underwriting associations for the prior year, plus interest, fees, commissions, required reserves, and other costs associated with financing the original deficit. The board may pledge the proceeds of the emergency assessments under this sub-subparagraph as the source of revenue for bonds, to retire any other debt incurred as a result of the deficit or events giving rise to the deficit, or in any other way that the board determines will efficiently recover the deficit. The emergency assessments under this sub-subparagraph shall continue as long as any bonds issued or other indebtedness incurred with respect to a deficit for which the assessment was imposed remain outstanding, unless adequate provision has been made for the payment of such bonds or other indebtedness pursuant to the document governing such bonds or other indebtedness. Emergency assessments collected under this sub-subparagraph are not part of an insurer's rates, are not premium, and are not subject to premium tax, fees, or commissions; however, failure to pay the emergency assessment shall be treated as failure to pay premium.

(IV) Each member insurer's share of the total regular assessments under sub-subparagraph (I) or sub-subparagraph (II) shall be in the proportion that the insurer's net direct premium for property insurance in this state, for the year preceding the assessment bears to the aggregate statewide net direct premium for property insurance of all member insurers, as reduced by any credits for voluntary writings for that year.

(V) If regular deficit assessments are made under sub-subparagraph (I) or sub-subparagraph (II), or by the Residential Property and Casualty Joint Underwriting Association under sub-subparagraph (6)(b)3.a. or sub-subparagraph (6)(b)3.b., the association shall levy upon the association's policyholders, as part of its next rate filing, or by a separate rate filing solely for this purpose, a market equalization surcharge in a percentage equal to the total amount of such regular assessments divided by the aggregate statewide direct written premium for property insurance for member insurers for the prior calendar year. Market equalization surcharges under this sub-subparagraph are not considered premium and are not subject to commissions, fees, or premium taxes; however, failure to pay a market equalization surcharge shall be treated as failure to pay premium.

e. The governing body of any unit of local government, any residents of which are insured under the plan, may issue bonds as defined in s. 125.013 or s. 166.101 to fund an assistance program, in conjunction with the association, for the purpose of defraying deficits of the association. In order to avoid needless and indiscriminate proliferation, duplication, and fragmentation of such assistance programs, any unit of local government, any residents of which are insured by the association, may provide for the payment of losses, regardless of whether or not the losses occurred within or outside of the territorial jurisdiction of the local government. Revenue bonds may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to s. 252.36 making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and the protection and preservation of the economic stability of insurers operating in this state, and declaring it an essential public purpose to permit certain municipalities or counties to issue bonds as will provide relief to claimants and policyholders of the association and insurers responsible for apportionment of plan losses. Any such unit of local government may enter into such contracts with the association and with any other entity created pursuant to this subsection as are necessary to carry out this paragraph. Any bonds issued under this sub-subparagraph shall be payable from and secured by moneys received by the association from assessments under this subparagraph, and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government shall not be pledged for the payment of such bonds. If any of the bonds remain unsold 60 days after issuance, the department shall require all insurers subject to assessment to purchase the bonds, which shall be treated as admitted assets; each insurer shall be required to purchase that percentage of the unsold portion of the bond issue that equals the insurer's relative share of

assessment liability under this subsection. An insurer shall not be required to purchase the bonds to the extent that the department determines that the purchase would endanger or impair the solvency of the insurer. The authority granted by this sub-subparagraph is additional to any bonding authority granted by subparagraph 6.

3. The plan shall also provide that any member with a surplus as to policyholders of \$20 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the department, within the first 90 days of each calendar year, to qualify as a limited apportionment company. The apportionment of such a member company in any calendar year for which it is qualified shall not exceed its gross participation, which shall not be affected by the formula for voluntary writings. In no event shall a limited apportionment company be required to participate in any apportionment of losses pursuant to sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II) in the aggregate which exceeds \$50 million after payment of available plan funds in any calendar year. However, a limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-sub-subparagraph 2.d.(III). The plan shall provide that, if the department determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the department may direct that all or part of such assessment be deferred. However, there shall be no limitation or deferment of an emergency assessment to be collected from policyholders under sub-sub-subparagraph 2.d.(III).

4. The plan shall provide for the deferment, in whole or in part, of a regular assessment of a member insurer under sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II), but not for an emergency assessment collected from policyholders under sub-sub-subparagraph 2.d.(III), if, in the opinion of the commissioner, payment of such regular assessment would endanger or impair the solvency of the member insurer. In the event a regular assessment against a member insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other member insurers in a manner consistent with the basis for assessments set forth in sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II).

5.a. The plan of operation may include deductibles and rules for classification of risks and rate modifications consistent with the objective of providing and maintaining funds sufficient to pay catastrophe losses.

b. The association may require arbitration of a rate filing under s. 627.062(6). It is the intent of the Legislature that the rates for coverage provided by the association be actuarially sound and not competitive with approved rates charged in the admitted voluntary market such that the association functions as a residual market mechanism to provide insurance only when the insurance cannot be procured in the voluntary market. The plan of operation shall provide a mechanism to assure that, beginning no later than January 1, 1999, the rates charged by the association for each line of business are reflective of approved rates in the voluntary market for hurricane coverage for each line of business in the various areas eligible for association coverage.

c. The association shall provide for ~~hurricane~~ ~~windstorm~~ coverage on residential properties in limits up to \$10 million for commercial lines residential risks and up to \$1 million for personal lines residential risks. If coverage with the association is sought for a residential risk valued in excess of these limits, coverage shall be available to the risk up to the replacement cost or actual cash value of the property, at the option of the insured, if coverage for the risk cannot be located in the authorized market. The association must accept a commercial lines residential risk with limits above \$10 million or a personal lines residential risk with limits above \$1 million if coverage is not available in the authorized market. The association may write coverage above the limits specified in this subparagraph with or without facultative or other reinsurance coverage, as the association determines appropriate.

d. The plan of operation must provide objective criteria and procedures, approved by the department, to be uniformly applied for all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following shall be considered:

(I) Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

(II) Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the association pursuant to such criteria and procedures must be construed as the private placement of insurance, and the provisions of chapter 120 do not apply.

e. The plan of operation must provide for an insured's choice of full replacement cost or actual cash value for all covered losses, at a cost of no more than the approved rate of the authorized insurer with the highest percentage of market share.

f.e. The policies issued by the association must provide that if the association obtains an offer from an authorized insurer to cover the risk at its approved rates under either a standard policy including *hurricane* ~~wind~~ coverage or, if consistent with the insurer's underwriting rules as filed with the department, a basic policy including *hurricane* ~~wind~~ coverage, the risk is no longer eligible for coverage through the association. Upon termination of eligibility, the association shall provide written notice to the policyholder and agent of record stating that the association policy must be canceled as of 60 days after the date of the notice because of the offer of coverage from an authorized insurer. Other provisions of the insurance code relating to cancellation and notice of cancellation do not apply to actions under this sub-subparagraph.

g.f. Association policies and applications must include a notice that the association policy could, under this section, be replaced with a policy issued by an authorized insurer that does not provide coverage identical to the coverage provided by the association. The notice shall also specify that acceptance of association coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

h. The plan shall provide for granting credits against premiums for policies issued by the association for:

(I) Separate flood insurance.

(II) Separating out any peril other than hurricane that might otherwise be covered under policies issued by the association.

(III) Mitigation of loss from damage resulting from a hurricane.

6.a. The plan of operation may authorize the formation of a private nonprofit corporation, a private nonprofit unincorporated association, a partnership, a trust, a limited liability company, or a nonprofit mutual company which may be empowered, among other things, to borrow money by issuing bonds or by incurring other indebtedness and to accumulate reserves or funds to be used for the payment of insured catastrophe losses. The plan may authorize all actions necessary to facilitate the issuance of bonds, including the pledging of assessments or other revenues.

b. Any entity created under this subsection, or any entity formed for the purposes of this subsection, may sue and be sued, may borrow money; issue bonds, notes, or debt instruments; pledge or sell assessments, market equalization surcharges and other surcharges, rights, premiums, contractual rights, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, and other assets as security for such bonds, notes, or debt instruments; enter into any contracts or agreements necessary or proper to accomplish such borrowings; and take other actions necessary to carry out the purposes of this subsection. The association may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (g)2., in the absence of a hurricane or other weather-related event, upon a determination by the association subject to approval by the department that such action would enable it to efficiently meet the financial obligations of the association and that such financings are reasonably necessary to effectuate the requirements of this subsection. Any such entity may accumulate reserves and retain surpluses as of the end of any association year to provide for the payment of losses incurred by the association during that year or any future year. The association shall

incorporate and continue the plan of operation and articles of agreement in effect on the effective date of chapter 76-96, Laws of Florida, to the extent that it is not inconsistent with chapter 76-96, and as subsequently modified consistent with chapter 76-96. The board of directors and officers currently serving shall continue to serve until their successors are duly qualified as provided under the plan. The assets and obligations of the plan in effect immediately prior to the effective date of chapter 76-96 shall be construed to be the assets and obligations of the successor plan created herein.

c. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness issued or incurred by the association or any other entity created under this subsection.

7. On such coverage, an agent's remuneration shall be that amount of money payable to the agent by the terms of his or her contract with the company with which the business is placed. However, no commission will be paid on that portion of the premium which is in excess of the standard premium of that company.

8. Subject to approval by the department, the association may establish different eligibility requirements and operational procedures for any line or type of coverage for any specified eligible area or portion of an eligible area if the board determines that such changes to the eligibility requirements and operational procedures are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods would continue to have access to coverage from the association. When coverage is sought in connection with a real property transfer, such requirements and procedures shall not provide for an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

9. Notwithstanding any other provision of law:

a. The pledge or sale of, the lien upon, and the security interest in any rights, revenues, or other assets of the association created or purported to be created pursuant to any financing documents to secure any bonds or other indebtedness of the association shall be and remain valid and enforceable, notwithstanding the commencement of and during the continuation of, and after, any rehabilitation, insolvency, liquidation, bankruptcy, receivership, conservatorship, reorganization, or similar proceeding against the association under the laws of this state or any other applicable laws.

b. No such proceeding shall relieve the association of its obligation, or otherwise affect its ability to perform its obligation, to continue to collect, or levy and collect, assessments, market equalization or other surcharges, projected recoveries from the Florida Hurricane Catastrophe Fund, reinsurance recoverables, or any other rights, revenues, or other assets of the association pledged.

c. Each such pledge or sale of, lien upon, and security interest in, including the priority of such pledge, lien, or security interest, any such assessments, emergency assessments, market equalization or renewal surcharges, projected recoveries from the Florida Hurricane Catastrophe Fund, reinsurance recoverables, or other rights, revenues, or other assets which are collected, or levied and collected, after the commencement of and during the pendency of or after any such proceeding shall continue unaffected by such proceeding.

d. As used in this subsection, the term "financing documents" means any agreement, instrument, or other document now existing or hereafter created evidencing any bonds or other indebtedness of the association or pursuant to which any such bonds or other indebtedness has been or may be issued and pursuant to which any rights, revenues, or other assets of the association are pledged or sold to secure the repayment of such bonds or indebtedness, together with the payment of interest on such bonds or such indebtedness, or the payment of any other obligation of the association related to such bonds or indebtedness.

e. Any such pledge or sale of assessments, revenues, contract rights or other rights or assets of the association shall constitute a lien and security interest, or sale, as the case may be, that is immediately effective and attaches to such assessments, revenues, contract, or other rights or assets, whether or not imposed or collected at the time the pledge or sale is made. Any such pledge or sale is effective, valid, binding, and enforceable against the association or other entity making such pledge or sale, and valid and binding against and superior to any competing claims or obligations owed to any other person or entity, including policyholders in this state, asserting rights in any such assessments, revenues, contract, or other rights or assets to the extent set forth in and in accordance with the terms of the pledge or sale contained in the applicable financing documents, whether or not any such person or entity has notice of such pledge or sale and without the need for any physical delivery, recordation, filing, or other action.

f. There shall be no liability on the part of, and no cause of action of any nature shall arise against, any member insurer or its agents or employees, agents or employees of the association, members of the board of directors of the association, or the department or its representatives, for any action taken by them in the performance of their duties or responsibilities under this subsection. Such immunity does not apply to actions for breach of any contract or agreement pertaining to insurance, or any willful tort.

(c) The provisions of paragraph (b) are applicable only with respect to:

1. Those areas that were eligible for coverage under this subsection on April 9, 1993; or

2. Any county or area as to which the department, after public hearing, finds that the following criteria exist:

a. Due to the lack of *hurricane windstorm* insurance coverage in the county or area so affected, economic growth and development is being deterred or otherwise stifled in such county or area, mortgages are in default, and financial institutions are unable to make loans;

b. The county or area so affected has adopted and is enforcing the structural requirements of the State Minimum Building Codes, as defined in s. 553.73, for new construction and has included adequate minimum floor elevation requirements for structures in areas subject to inundation; and

c. Extending *hurricane windstorm* insurance coverage to such county or area is consistent with and will implement and further the policies and objectives set forth in applicable state laws, rules, and regulations governing coastal management, coastal construction, comprehensive planning, beach and shore preservation, barrier island preservation, coastal zone protection, and the Coastal Zone Protection Act of 1985.

Any time after the department has determined that the criteria referred to in this subparagraph do not exist with respect to any county or area of the state, *the department shall* ~~it may~~, after a subsequent public hearing, declare that such county or area is no longer eligible for *hurricane windstorm* coverage through the plan.

(d) For the purpose of evaluating whether the criteria of paragraph (c) are met, such criteria shall be applied as the situation would exist if policies had not been written by the Florida Residential Property and Casualty Joint Underwriting Association and property insurance for such policyholders was not available.

(e) Notwithstanding the provisions of subparagraph (c)2. or paragraph (d), eligibility shall not be extended to any area that was not eligible on March 1, 1997, except that the department may act with respect to any petition on which a hearing was held prior to May 9, 1997.

(f) *After October 1, 2000, and notwithstanding any other provision of this subsection, no area or county shall be eligible for hurricane coverage through the plan for more than 2 consecutive years. Any area or county which wishes to remain eligible for hurricane coverage through the plan after the expiration of any such period of eligibility shall petition the department for a redetermination of eligibility for such coverage under this subsection.*

And the title is amended as follows:

On page 1, line 5,

after the semicolon insert: amending s. 627.351, F.S.; limiting application of insurance risk of the Florida Windstorm Underwriting Association to hurricanes only; revising the membership of the board of directors under the association's plan of operation; requiring the plan to provide for an insured's choice of actual cash value or full replacement cost of certain losses; specifying a rate limitation; requiring the association's plan to provide for credits for certain actions or alternative coverages; requiring the Department of Insurance to declare certain areas or counties ineligible for coverage through the plan under certain circumstances; limiting the time of eligibility for coverage under the association's plan;

Rep. Cosgrove moved the adoption of the amendment.

Point of Order

Rep. Bainter raised a point of order, under Rule 146, that the amendment was the principal substance of another bill under consideration by the House.

Rep. Arnall, Chair of the Committee on Rules & Calendar, in speaking to the point of order on Amendment 2, stated that the amendment was the principal substance of HB 477, which was in the Committee on Insurance.

The Chair [Speaker Thrasher], upon the recommendation of Rep. Arnall, Chair of the Committee on Rules & Calendar, ruled the point well taken and the amendment out of order.

Representative(s) Cosgrove offered the following:

(Amendment Bar Code: 923065)

Amendment 3 (with title amendment)—On page 1, between lines 17 & 18,

insert: *The Florida Windstorm Underwriting Association shall not require flood insurance coverage as a precondition to policyholder or applicant eligibility for coverage by the association; however, the association may offer to reduce policy premiums for any policyholder or applicant who has flood insurance coverage.*

And the title is amended as follows:

On page 1, line 5,

after the semicolon insert: prohibiting the association from requiring flood insurance under certain circumstances; authorizing certain premium reductions under certain circumstances;

Rep. Cosgrove moved the adoption of the amendment.

Rep. Cosgrove moved to suspend the rules to admit **Amendment 2**, the Speaker's ruling in respect to the application of Rule 146 notwithstanding, which was not agreed to.

The question recurred on the adoption of **Amendment 3**, which was withdrawn.

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

CS/HB 659—A bill to be entitled An act relating to private property rights protection; amending s. 70.001, F.S., the "Bert J. Harris, Jr., Private Property Rights Protection Act"; providing that an action by a governmental entity that involuntarily decreases the density of development below one residence per five acres creates a rebuttable presumption that there is an "inordinate burden" that qualifies the property owner for relief under the act; providing determinations to be made by the circuit court when a claim is filed to seek compensation for such governmental action; 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. Maygarden, **HB 583** was temporarily postponed under Rule 141.

Ceremonial Resolutions Calendar

HR 9039—A resolution commending the United States Air Force Special Operations Command.

WHEREAS, only days after being forward deployed in support of Operation Allied Force, members of six units from Hurlburt Field's Air Force Special Operations Command joined with the 352nd Special Operations Group, Royal Air Force Mildenhall, England, in a daring, textbook-perfect rescue of a downed F-117 Nighthawk pilot behind enemy lines only 30 miles from the Serbian capital of Belgrade, and

WHEREAS, less than a month later, the joint team was back in the skies on its second mission, this time the successful rescue of the pilot of an F-16 Fighting Falcon that had gone down in enemy territory, and

WHEREAS, in a magnificent display of courage, discipline, and teamwork so precise that in both instances the rescue craft was on the ground for less than 60 seconds before lifting off with the pilots safely aboard, the forces had tested and proved the value of months of intense and grueling training that had prepared them for just such action, and

WHEREAS, it is fitting and proper that recognition be accorded the units involved in the two unprecedented Kosovo rescues, the 720th Special Tactics Group, the 55th Special Operations Squadron, the 20th Special Operations Squadron, the 9th Special Operations Squadron, the 4th Special Operations Squadron, the 25th Intelligence Squadron, all of Hurlburt Field, Florida, and the 352nd Special Operations Group, Royal Air Force, Mildenhall, the United Kingdom, 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 honor the members of the United States Air Force Special Operations Command for their courage, professionalism, and commitment in the face of grave danger, and to extend to them its heartfelt gratitude for a job well done.

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

HR 9071—A resolution recognizing Tuesday, April 11, 2000, as "Stop Day" in Florida.

WHEREAS, violence in America's schools threatens the core of the educational process and deprives students and teachers of the opportunity to learn and teach without the constant presence of fear, and

WHEREAS, "Stop Day" is intended to bring awareness to and focus on the growing epidemic of student violence and to offer students an opportunity for self-improvement by rallying the cry against school-related crime, and

WHEREAS, students are encouraged to recite the "Stop Day" pledge, which states: "I pledge to be nonviolent and to respect my fellow classmates. I will report crime or acts of violence to appropriate officials or call crime stoppers to report incidents anonymously. I will not let the actions of a few make my school dangerous or unsafe. I want a safe learning environment and will work with my fellow students to make it so!", and

WHEREAS, "Stop Day" participants are encouraged to show their support by developing anti-violence community service projects, inviting legal professionals to speak to student groups, conducting open-ended skits which allow student observers to predict the outcome based upon real life choices, developing a process that makes it cool to report school crime or violence, and/or conducting mock trials, and

WHEREAS, "Stop Day" will give every student in the State of Florida an opportunity to evaluate this critical issue and assess his or her role in preventing these unnecessary incidences of crime in order to break this vicious cycle of violence, 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 Tuesday, April 11, 2000, as "Stop Day" in the Florida Legislature.

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

By Representatives Bullard and Wilson—

HR 9087—A resolution recognizing the 500 Role Models of Excellence Project of Miami-Dade County.

WHEREAS, founded in 1993, the 500 Role Models of Excellence Project is a program through which adult mentors are paired with more than 4,000 at-risk young males 9-19 years old in an effort to provide them with alternatives designed to lead them away from crime and violence, and

WHEREAS, in an effort to instill in youth the values of mainstream America, while respecting the existing values of the individual, the 500 Role Models of Excellence Project focuses on the assumptions that there are positive, successful men in the community to emulate, that there are positive alternatives to self-destructive behaviors and societal pitfalls, and that everyone must assume responsibility for preparing today's children to effectively deal with the challenges and struggles with which they are confronted, and

WHEREAS, distinctive in their black slacks, white dress shirt, and red necktie and kerchief emblazoned with the 500 Role Models logo, a small hand next to a large hand, 95 percent of the students who begin the program in middle school and continue through their high school and postsecondary education years are reported to have no further violations of student conduct codes or the law, and

WHEREAS, thanks to funds for scholarships raised annually through the Dr. Martin Luther King, Jr., Unity Scholarship Breakfast, students entering the program are guaranteed a chance either to attend college or to choose from numerous postsecondary opportunities geared toward preparing them for the next level of education, always with the assurance that mentors are available to assist them in making their choices and achieving their goals, and

WHEREAS, the nationally acclaimed 500 Role Models of Excellence Project of Miami-Dade County has been featured on national media programs, has received several awards, and has attracted the involvement of numerous prominent Americans, NOW, THEREFORE,

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

That the House of Representatives recognizes the outstanding success of the 500 Role Models of Excellence Project, expresses its gratitude to the project's thousands of volunteer workers and mentors, and heartily applauds and congratulates the fine young men who themselves have become role models worthy of emulation.

—was read the first time by title and the second time by title. On motion by Rep. Bullard, the resolution was adopted.

By Representatives Lawson, Eggleton, Roberts, Bush, A. Greene, Turnbull, Boyd, L. Miller, C. Smith, Hill, and Kilmer—

HR 9089—A resolution designating April 6, 2000, as "F.A.M.U. Day" in Tallahassee.

WHEREAS, Florida Agricultural and Mechanical University was founded in 1887 as a state normal school and is in its 113th year as the oldest coeducational institution of higher education in Florida's state university system, and

WHEREAS, Florida Agricultural and Mechanical University held its first commencement exercises in 1892, with five graduates, in the historic Munro's Opera House, which was located on the northeast corner of Adams and Jefferson Streets in Tallahassee, and

WHEREAS, in 1998, Florida Agricultural and Mechanical University was designated as a comprehensive/doctoral institution by the Board of Regents, giving F.A.M.U. the authority to plan additional doctoral

programs in the sciences, engineering, and technology areas, in which minorities are severely underrepresented, and

WHEREAS, in 1997 F.A.M.U. was the nation's largest producer of African-American graduates at the bachelor degree level, and

WHEREAS, F.A.M.U. led the nation in the recruitment of National Achievement Scholars in 1992, 1995, and 1997, and

WHEREAS, Florida Agricultural and Mechanical University was named the "1997 College of the Year" by TIME Magazine and The Princeton Review, and

WHEREAS, today F.A.M.U.'s twelve schools and colleges provide a comprehensive approach to teaching, research, and community service by offering undergraduate and graduate degrees in approximately 176 fields, and

WHEREAS, for five consecutive years, F.A.M.U.'s College of Pharmacy and Pharmaceutical Sciences has led the southeast in competition for National Institutes of Health funding for research, and

WHEREAS, in recognition of Florida Agricultural and Mechanical University's role as a monument of pride and accomplishment, and as a tribute to African-American achievements, it is fitting and appropriate that the House of Representatives of the State of Florida designate April 6, 2000, as F.A.M.U. Day in Tallahassee, 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 designates April 6, 2000, as "F.A.M.U. Day" in Tallahassee, in recognition of Florida Agricultural and Mechanical University's 113 years as an outstanding institution of higher education.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Dr. Frederick S. Humphries, President of Florida Agricultural and Mechanical University, as a tangible token of the sentiments expressed herein.

—was read the first time by title and the second time by title. On motion by Rep. Lawson, the resolution was adopted.

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

Messages from the Senate

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate requests the return of CS for SB 140.

Faye W. Blanton, Secretary

CS for SB 140—A bill to be entitled An act relating to local government code enforcement boards; amending ss. 162.09, 162.10, F.S.; authorizing suits to recover money judgments and costs; amending s. 162.12, F.S.; providing an alternative for posting certain notices; providing an effective date.

On motion by Rep. Arnall, the House acceded to the request of the Senate and returned **CS for SB 140**.

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS/CS/HB 69 and CS/HB 205; and passed HB 627 by the required Constitutional three-fifths vote of the members of the Senate.

Faye W. Blanton, Secretary

The above bills were ordered enrolled.

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments and passed SB 92 and CS for SB 662, as amended.

Faye W. Blanton, Secretary

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 9:20 a.m., Wednesday, April 12. The motion was agreed to.

Recorded Votes

Rep. Minton:

Change from Yeas to Nays—HB 1453

Prime Sponsors

HB 663—Cantens
CS/HB 689—Farkas, Merchant
HB 1833—Minton
HB 1901—Kelly
HB 1903—Kelly
HB 2063—Melvin

Withdrawals as Prime Sponsor

HB 663—Prieguez

Cosponsors

HJR 7—Eggelletion, L. Miller, Ritter, Wasserman Schultz
CS/CS/CS/HB 49—Fiorentino, Hart, Kyle, Lynn, Patterson, Russell
HB 105—Lynn
CS/HB 111—Wilson
HB 127—Chestnut
HB 191—Barreiro, Bloom, Bullard, Bush, Chestnut, R. Diaz de la Portilla, Garcia, Harrington, Logan, Minton, Prieguez, Rojas, Rubio, Sorensen, Wilson
HB 199—Johnson
CS/HB 251—Lynn
HB 425—Edwards
CS/CS/HB 445—Bilirakis, Lynn
HB 497—Johnson
CS/HB 599—Constantine
CS/HB 607—Lynn
CS/CS/HB 615—Johnson
HB 623—Minton
HB 643—Lynn
CS/HBs 695 & 1165—Johnson
HB 799—K. Smith
HB 1121—Arnall, Betancourt, Casey, Morroni, Posey, Rayson, Starks, Villalobos
CS/HBs 1153 & 845—Farkas
HB 1177—Minton
CS/HB 1195—Wiles
HB 1447—Lacasa
HB 1461—Bilirakis
HB 1653—Ball, Bense, Gottlieb, Harrington, Henriquez, Johnson, Kelly, Levine, Ritchie, Suarez, Trovillion, Wiles
HB 1851—Levine
HB 1933—C. Green
HB 2049—Minton
HB 2081—Kelly
HB 2229—Morroni
HB 2253—Ogles
HB 2255—Ogles
HB 2281—Albright, Arnall, Bense, Bradley, Casey, Feeney, Garcia, Gay, Jones, Kelly, Littlefield, Maygarden, Pruitt, Sembler
HR 9011—Bitner, Rubio

Withdrawals as Cosponsor

HB 891—Constantine
HB 2089—Henriquez

Introduction and Reference

By Representative Gay—

HB 2287—A bill to be entitled An act relating to regulation of movers; providing a short title; providing definitions; providing construction,

intent, and application; requiring registration; requiring operating permits and vehicle decals; providing requirements, procedures, criteria, and limitations; authorizing the Department of Business and Professional Regulation to charge certain fees; authorizing the department to adopt rules; providing for denial, suspension, and revocation of permits and decals; providing requirements and procedures; providing for hearings; providing for appeals; providing procedures; requiring cargo valuation, cargo legal liability, and motor vehicle insurance coverage; providing requirements; providing penalties; requiring moving vehicle signage; requiring estimates of moving costs; providing requirements, criteria, procedures, and limitations; requiring contracts for service; providing requirements; requiring disclosure statements; specifying contents; prohibiting charges in excess of written estimate; providing an exception; specifying unlawful charges; prohibiting refusal to relinquish goods; requiring written inventories; specifying acceptable forms of payment; requiring timely shipping; requiring minimum valuation coverage; providing for coverage in excess of the minimum; requiring notice; requiring maintenance of records; requiring procedures for responding to inquiries and complaints; providing requirements; prohibiting collecting or requiring payment of certain charges after loss or destruction; providing for claims; providing requirements and procedures; providing for consumer complaints; providing requirements and procedures; specifying fraudulent transfers of moving companies; providing criteria; providing for enforcement; providing penalties; providing for fines; providing for waiver of certain rights under certain circumstances; repealing local laws or ordinances in conflict; providing severability; providing an effective date.

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

By the Committee on Family Law & Children; Representatives Roberts, Brown, and Effman—

HB 2289—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from public records requirements for certain records relating to personnel of the Department of Children and Family Services who provide services to abused, neglected, abandoned, or exploited children, disabled adults, and elderly persons and their families; providing for future repeal; providing a finding of public necessity; providing an effective date.

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

By Representative Jacobs—

HCR 2291—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

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

By Representative Villalobos—

HB 2293—A bill to be entitled An act relating to educational benefits for children of slain law enforcement officers; amending s. 112.19, F.S.; providing for graduate or postbaccalaureate professional educational expenses to be waived for children of officers killed in the line of duty; providing for the waiver to apply to a child who attends a state institution as a full-time or part-time student; providing an effective date.

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

By Representative Jones—

HB 2295—A bill to be entitled An act relating to credit and mortgage guaranty insurance; amending s. 624.408, F.S.; specifying minimum surplus for mortgage guaranty insurers; amending s. 626.321, F.S.; authorizing individuals and entities holding a credit life or disability insurance license to sell credit insurance; modifying requirements for licensure; amending s. 627.679, F.S.; requiring certain disclosures to be made within a specified time upon the sale of credit life insurance; allowing a borrower a specified time from the date of such disclosures to rescind the coverage; amending s. 635.042, F.S.; revising limits on total

liability and exposure to losses for mortgage guaranty insurers; requiring certain audited financial reports to include certain information; authorizing the Department of Insurance to take certain actions against certain mortgage guaranty insurers; providing an effective date.

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

By Representative Morroni—

HB 2297—A bill to be entitled An act relating to ad valorem tax administration; amending s. 197.182, F.S.; extending the time limitation on a claim for refund of an overpayment of tax; amending ss. 197.432 and 197.443, F.S., to conform; providing a finding of important state interest; providing an effective date.

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

By Representative Logan—

HJR 2299—A joint resolution proposing the creation of Section 19 of Article VII of the State Constitution to establish the Tobacco Settlement Endowment Trust Fund as a permanent endowment for the provision of vital services.

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

By the Committee on Utilities & Communications; Representative Rojas—

HB 2301—A bill to be entitled An act relating to telecommunications; amending s. 364.025, F.S.; extending certain time periods for provision of universal service obligations; providing an effective date.

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

By the Committee on Corrections; Representative Trovillion—

HB 2303—A bill to be entitled An act relating to operations of correctional work programs; revising provisions relating to leased or managed work programs to conform to current operations and applications; amending ss. 946.502, 946.5025, 946.5026, 946.503, 946.506, 946.509, 946.511, 946.514, 946.515, 946.516, 946.518, and 946.520, F.S.; conforming internal cross references; deleting obsolete language; clarifying a definition; changing a reporting date; amending s. 946.504, F.S.; deleting certain obsolete work program lease requirements; deleting a requirement that the Department of Corrections remit certain funds to a corporation established for correctional work program purposes; deleting a prohibition against transferring operating losses to the corporation; deleting a requirement that the corporation employ certain department personnel; amending s. 957.04, F.S., to conform a cross reference; providing an effective date.

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

By the Committee on Family Law & Children; Representatives Roberts, Brown, and Effman—

HB 2305—A bill to be entitled An act relating to protection of dependent children; amending s. 39.01, F.S.; revising definitions of “authorized agent” or “designee” of the department and “long-term custody”; defining “long-term licensed custody” and “ordinary and necessary individual treatment”; amending s. 39.013, F.S.; providing for precedence and confidentiality of orders of the circuit court in dependency matters involving child custody or visitation; deleting state funding of court-appointed counsel for legal guardians at shelter hearings; amending s. 39.0132, F.S., relating to oaths, records, and confidential information; amending s. 39.202, F.S.; revising provisions relating to access to reports and records in cases of child abuse or neglect; amending s. 39.402, F.S., relating to placement in a shelter; amending s. 39.502, F.S., relating to notice, process, and services; amending s. 39.503, F.S., relating to procedures when the identity or location of the parent is unknown; creating a new pt. VII of ch. 39, F.S., relating to disposition and postdisposition change of custody; creating a new pt. IX of ch. 39, F.S., relating to permanency; renumbering and

amending s. 39.508, F.S.; revising provisions relating to disposition hearings, powers of disposition, and postdisposition change of custody; amending s. 39.5085, F.S.; modifying intent of the Relative Caregiver Program; correcting references; creating s. 39.522, F.S.; providing for consent for medical and dental treatment of children in the custody of the department; amending s. 39.601, F.S.; providing requirements relating to case plans; amending s. 39.603, F.S., relating to court hearings for approval of case planning; authorizing, rather than requiring, court appointment of a guardian ad litem under certain circumstances; creating s. 39.621, F.S.; providing for permanency determinations by the court; providing certain parental rights with respect to the child; creating s. 39.622, F.S.; providing conditions and requirements for court placement of a child in long-term custody; creating s. 39.623, F.S.; providing conditions and requirements for court approval of placement in long-term licensed custody; creating s. 39.624, F.S.; providing conditions and requirements for court approval of placement in independent living; amending s. 39.701, F.S.; revising provisions relating to judicial review hearings; amending s. 39.803, F.S.; revising procedure relating to diligent search, after filing of a termination of parental rights petition, for a parent whose identity or location is unknown; amending s. 39.804, F.S.; providing a penalty for false statements concerning paternity, by certain persons; amending s. 39.806, F.S.; providing abandonment as a ground for termination of parental rights; amending s. 39.807, F.S.; providing responsibilities of the guardian ad litem; amending s. 39.811, F.S.; providing for court-ordered disposition of the child in long-term custody, following termination of parental rights; amending s. 435.045, F.S.; authorizing placement in a foster home pending federal criminal records check results; requiring certain disclosure by prospective and approved foster parents; amending ss. 39.0015, 39.302, and 409.2554, F.S.; correcting cross references; providing an effective date.

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

By the Committee on Family Law & Children; Representatives Roberts, Brown, and Effman—

HB 2307—A bill to be entitled An act relating to public records; amending s. 39.202, F.S.; providing an exemption from public records requirements for records held by a guardian ad litem in cases regarding allegations of child abuse, neglect, or abandonment; providing for certain authorized access; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

By the Committee on Family Law & Children; Representatives Roberts, Brown, and Effman—

HB 2309—A bill to be entitled An act relating to domestic violence; amending ss. 25.385, 39.902, 741.28, and 943.171, F.S.; redefining the terms “domestic violence” and “family or household member”; amending s. 61.1825, F.S.; providing for additional circumstances when a family violence indicator must be placed on a record; amending s. 90.5036, F.S.; redefining the terms “domestic violence center” and “domestic violence advocate”; specifying the persons to whom confidential communication provisions apply; providing for confidentiality of certain communications only if the domestic violence advocate is registered with the Department of Children and Family Services; amending s. 470.002, F.S.; revising the definition of “legally authorized person” for purposes of domestic violence cases; amending s. 741.2901, F.S.; prohibiting certain family or household members from qualifying as legally authorized persons in cases involving domestic violence; amending s. 741.30, F.S.; specifying when a person has standing to file a petition for an injunction against domestic violence; providing for incidents that describe violence or threats of violence; providing legislative intent with regard to victim protection; authorizing the court to grant extensions of temporary injunctions; specifying when a court may grant relief; providing factors for the court to consider in determining imminent danger; requiring a batterers’ intervention program to provide notification of discharge; providing that respondents must complete a batterers’ intervention program if ordered; providing circumstances

under which the court may not grant a request to modify or dissolve an injunction; requiring recording of proceedings; directing the Office of the State Courts Administrator to examine and develop recommendations concerning certain court practices; requiring a report to the Governor and Legislature; providing an effective date.

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

By Representative Murman—

HB 2311—A bill to be entitled An act relating to adult entertainment establishments; creating s. 847.0134, F.S.; prohibiting certain establishments from being located within a certain distance of the real property that comprises a public or private school; providing a criminal penalty; providing an effective date.

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

By Representative Greenstein—

HB 2313—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.60, F.S.; revising certain definitions; amending s. 320.61, F.S.; prohibiting the granting of a replacement application during the pendency of certain actions alleging the unfair cancellation of a dealer franchise agreement; amending s. 320.64, F.S.; providing additional grounds for the denial, suspension, or revocation of a license; providing for the maintenance and disclosure of certain records; amending s. 320.641, F.S.; revising provisions relating to the unfair cancellation of franchise agreements; adding additional acts that constitute such actions; providing procedural standards during such action; amending s. 320.642, F.S.; establishing certain geographic comparison area standards for use in determining whether dealers are providing adequate representation; amending s. 320.643, F.S.; prohibiting licensees from having a right of first refusal regarding franchise agreements; amending s. 320.645, F.S.; providing for a licensee to operate a dealership under special conditions; amending s. 320.695, F.S.; providing additional grounds for injunctive relief by any person; providing an effective date.

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

By the Committee on Health Care Licensing & Regulation; Representative Fasano—

HB 2315—A bill to be entitled An act relating to rulemaking authority for the Department of Health; amending s. 154.011, F.S.; authorizing rules governing the operation of primary care programs to include certain provisions; amending s. 154.06, F.S.; authorizing rules establishing fee schedules for public health services rendered through the county health departments to include certain provisions; amending s. 381.003, F.S.; authorizing rules relating to prevention and control of communicable diseases to include certain provisions; amending s. 381.004, F.S.; authorizing rules implementing provisions for the testing of human immunodeficiency virus to include certain provisions; amending s. 381.0051, F.S.; authorizing rules implementing provisions relating to family planning to include certain provisions; amending s. 381.0056, F.S.; authorizing rules implementing provisions relating to the school health services program to include certain provisions; amending s. 381.0057, F.S.; requiring services provided by comprehensive school health projects to focus on promoting student health and reducing risk-taking behavior and teen pregnancy; declaring school health service funding provisions supplemental to other provisions; amending s. 381.006, F.S.; authorizing rules relating to group-care facilities to include certain provisions; amending s. 381.0062, F.S.; exempting certain public water systems from obtaining an annual operating permit; amending s. 381.0065, F.S.; revising the definition of "onsite sewage treatment and disposal system"; authorizing rules administering regulation of onsite sewage treatment and disposal systems to include certain provisions; revising duties and powers of the department relating to such regulation to include reference to use and operation of such systems and to disposition of system byproducts; revising sewage flow restrictions applicable to subdivisions and lots using such systems; amending s. 381.0072, F.S.; authorizing rules prescribing minimum sanitation standards and manager certification

requirements which are to be enforced in food service establishments to include certain provisions; amending s. 381.0086, F.S.; authorizing rules relating to protection of the health and safety of migrant farm workers and other migrant labor camp or residential migrant housing occupants to cover field sanitation facilities and include certain provisions; amending s. 381.0098, F.S.; authorizing rules relating to regulation of biomedical waste to include certain provisions; revising provisions relating to application for and transfer of a biomedical waste permit; prohibiting transfer of registration from one biomedical waste transporter to another; providing application requirements for registration of transporter when ownership or name changes; amending s. 381.0101, F.S.; authorizing rules relating to certification of environmental health professionals to include definitions; amending s. 381.0203, F.S.; authorizing adoption of rules to implement provisions relating to the purchase of drugs to be used by state agencies and political subdivisions; amending s. 381.89, F.S.; providing for issuance of a stop-use order to remove a tanning device from service; authorizing rules implementing regulation of tanning facilities to include definitions; amending s. 383.011, F.S.; authorizing rules administering the maternal and child health care program to include certain provisions; amending s. 383.14, F.S.; authorizing rules administering the infant metabolic screening program to include definitions; amending s. 383.19, F.S.; authorizing rules relating to standards for development and operation of a regional perinatal intensive care center to include certain provisions; amending s. 383.216, F.S.; providing that local prenatal and infant health care coalitions need not be recognized as having federal tax exempt status; authorizing rules implementing regulation of community-based prenatal and infant health care coalitions to include certain provisions; amending s. 384.33, F.S.; authorizing rules relating to control of sexually transmissible diseases to include certain provisions; amending s. 385.207, F.S.; authorizing rules relating to care and control of epilepsy to include certain provisions; amending s. 391.026, F.S.; authorizing rules implementing the Children's Medical Services Act to include certain provisions; amending s. 392.66, F.S.; authorizing rules relating to tuberculosis control to include certain provisions; amending s. 395.401, F.S.; providing for establishment by rule of processes and procedures for formation and approval of trauma agencies and of minimum requirements for conduct and submission of annual performance evaluations thereof; amending s. 395.402, F.S.; providing for allocation by rule of the number of trauma centers needed for each trauma service area; amending s. 401.35, F.S.; requiring rules relating to regulation of medical transportation services to include definitions and requirements relating to staffing for air ambulance services, certificates of public convenience and necessity, medical direction, and licensure and certification; amending s. 403.862, F.S.; authorizing rules relating to regulation of private and public water systems to include definitions; amending s. 404.056, F.S.; providing for basic and advanced levels of certification to perform radon gas or radon progeny measurements; authorizing establishment of enforcement procedures and denial of applications for initial certification or renewal thereof; providing for other certification requirements; amending s. 404.22, F.S.; providing for the adoption of rules relating to inspection of and standards for radiation machines and their operation; amending s. 489.553, F.S.; providing for adoption of rules to implement provisions regulating septic tank contracting; amending ss. 491.006 and 491.0145, F.S.; providing that application fees for licensure as a clinical social worker, marriage and family therapist, or mental health counselor by endorsement and application and examination fees for certification as a master social worker are nonrefundable; amending s. 499.003, F.S.; defining "distribute" or "distribution" for purposes of the Florida Drug and Cosmetic Act; amending ss. 499.024 and 499.03, F.S.; revising cross references, to conform; amending s. 499.005, F.S.; prohibiting the charging of a dispensing fee for a prescription drug sample and the dispensing, administering, or distributing of an investigational drug except pursuant to an approved protocol; reenacting s. 499.069, F.S., relating to punishment for violations of s. 499.005, to incorporate the amendment to s. 499.005, F.S., in references thereto; providing penalties; amending s. 499.0054, F.S.; providing that the representation or suggestion in labeling or advertising that an article is approved under the Florida Drug and Cosmetic Act is a violation of such act; providing penalties; amending s. 499.01, F.S.; requiring submission of the name

and address of a contact person regarding access to records required to be maintained under the Florida Drug and Cosmetic Act when a permitted establishment closes; amending s. 499.0121, F.S.; requiring vehicles containing prescription drugs to be secured from unauthorized access to such drugs; amending s. 499.0122, F.S.; providing for adoption of rules relating to prescription or order requirements for medical oxygen and veterinary legend drug retail establishments; amending s. 499.013, F.S.; providing that a device manufacturer's permit is not required if the person is engaged only in the manufacture or assembly of medical devices pursuant to a practitioner's order for a specific patient; requiring manufacturers of devices, over-the-counter drugs, or cosmetics to maintain certain records; amending s. 499.015, F.S.; prohibiting registration of products not in compliance with the Federal Food, Drug, and Cosmetic Act and related federal regulations and declaring that registration does not mean compliance with all provisions of such act; revising cross references; amending s. 499.05, F.S.; restricting rules that implement and enforce the Florida Drug and Cosmetic Act to specified provisions; amending s. 499.701, F.S.; revising provisions relating to rules administering regulation of ether to include certain provisions; amending s. 501.122, F.S.; authorizing performance standards for lasers and other radiation control to include provisions relating to radiation surveys and measurements; amending s. 513.05, F.S.; authorizing rules regulating mobile home parks, lodging parks, recreational vehicle parks, and recreational camps to include definitions; amending s. 514.021, F.S.; authorizing rules regulating public swimming and bathing facilities to include definitions; amending s. 766.1115, F.S., the Access to Health Care Act; revising the definition of "health care provider"; revising contract requirements to cover instances in which a treated individual is later found to be ineligible; requiring acknowledgment in writing of receipt of the notice of agency relationship; authorizing rules implementing the act to include services to be provided and authorized procedures; providing an effective date.

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

By the Committee on Tourism; Representatives Starks, Farkas, Lynn, Sobel, Argenziano, R. Diaz de la Portilla, Bush, Bloom, and Hafner—

HB 2317—A bill to be entitled An act relating to the Department of State; amending s. 20.10, F.S.; authorizing the department to adopt rules to administer laws conferring duties upon it; amending s. 266.0016, F.S.; providing additional powers of the Historic Pensacola Preservation Board of Trustees; amending s. 267.061, F.S.; providing additional duties of the Division of Historical Resources with respect to protecting and administering historical resources; authorizing the division to issue certain permits; requiring that the division adopt rules for issuing permits and administering the transfer of certain objects; amending s. 872.05, F.S.; authorizing the department to adopt procedures for reporting an unmarked human burial and determining jurisdiction of the burial; requiring the Division of Historical Resources and the Historic Pensacola Preservation Board of Trustees, in conjunction with specified entities, to develop a regionally based historic preservation plan for West Florida; providing elements of the plan; requiring submission of the plan to the Legislature by a specified date; providing an effective date.

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

By the Committee on Health Care Services; Representative Peadar—

HB 2319—A bill to be entitled An act relating to rural hospitals; amending ss. 395.602 and 408.07, F.S.; revising the definition of the term "rural hospital"; amending s. 409.9116, F.S.; revising eligibility for funding under the disproportionate share/financial assistance program for rural hospitals; providing an effective date.

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

By the Committee on Health Care Services; Representative Peadar—

HB 2321—A bill to be entitled An act relating to public records; creating s. 381.775, F.S.; providing an exemption from public records requirements for personal information relating to applicants to and clients of the brain and spinal cord injury program of the Department

of Health; providing a penalty for disclosure; providing conditions for certain release of records; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By Representative Gay—

HB 2323—A bill to be entitled An act relating to viatical settlements; amending s. 626.9911, F.S.; modifying definitions; amending s. 626.9912, F.S.; prescribing information to be included in an application for a viatical settlement provider license; modifying prerequisites for licensure; amending s. 626.9921, F.S.; providing for approval and disapproval by the Department of Insurance of viatical settlement purchase agreement forms and other forms necessary to effectuate a viatical settlement transaction; requiring approval by the department of the organizational documents of any trust to be used by a viatical settlement provider; amending s. 626.9922, F.S.; requiring licensees to maintain books and contracts relating to viatical settlement contracts or viatical settlement purchase agreements at their home office for a prescribed time; creating s. 626.99236, F.S.; providing for certain disclosures to viatical settlement purchaser after purchase of the agreement; amending s. 626.9924, F.S.; removing a requirement that a viator acknowledge the existence of a catastrophic or life-threatening illness; requiring a provider to notify an insurer of a policy that is to be transferred that the policy has or will become the subject of a viatical agreement; requiring notice to the insured if the owner of an insurance policy is not the insured; creating s. 626.99245, F.S.; providing for the application of other states' laws under certain circumstances; amending s. 626.9925, F.S.; authorizing the department to adopt rules; amending s. 626.99275, F.S.; revising certain prohibited practices; providing penalties; creating s. 626.99285, F.S.; expanding statutory authority of the department to regulate viatical settlements; providing an effective date.

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

HR 9087—Adopted earlier today

HR 9089—Adopted earlier today

Reference

HB 2163—Referred to the Committee(s) on Environmental Protection and Community Affairs.

HB 2165—Referred to the Committee(s) on Governmental Operations.

HB 2167—Referred to the Committee(s) on General Government Appropriations.

HB 2169—Referred to the Committee(s) on Health & Human Services Appropriations.

HB 2171—Referred to the Committee(s) on Judiciary, Law Enforcement & Crime Prevention, and Criminal Justice Appropriations.

HB 2173—Referred to the Committee(s) on Health & Human Services Appropriations.

HB 2175—Referred to the Committee(s) on Health & Human Services Appropriations.

HB 2177—Referred to the Committee(s) on Judiciary and Insurance.

HB 2179—Referred to the Committee(s) on Education/K-12, Finance & Taxation, and Education Appropriations.

HB 2181—Referred to the Committee(s) on Education/K-12, Finance & Taxation, and Education Appropriations.

HB 2183—Referred to the Committee(s) on Health Care Services and Health & Human Services Appropriations.

HB 2185—Referred to the Committee(s) on Crime & Punishment and Judiciary.

HB 2187—Referred to the Committee(s) on Business Regulation & Consumer Affairs, Finance & Taxation, and General Government Appropriations.

HB 2189—Referred to the Committee(s) on Utilities & Communications.

HJR 2191—Referred to the Committee(s) on Community Affairs and Finance & Taxation.

HB 2193—Referred to the Committee(s) on Criminal Justice Appropriations.

HB 2195—Referred to the Committee(s) on Education Appropriations.

HB 2197—Referred to the Committee(s) on Finance & Taxation and Education Appropriations.

HB 2199—Referred to the Committee(s) on Community Affairs and Finance & Taxation.

HB 2201—Referred to the Committee(s) on Community Colleges & Career Prep and Health & Human Services Appropriations.

HB 2203—Referred to the Committee(s) on Governmental Operations and Criminal Justice Appropriations.

HB 2205—Referred to the Calendar of the House.

HB 2207—Referred to the Committee(s) on Governmental Rules & Regulations.

HB 2209—Referred to the Committee(s) on Governmental Rules & Regulations and General Government Appropriations.

HB 2211—Referred to the Committee(s) on Governmental Rules & Regulations, Finance & Taxation, and General Government Appropriations.

HB 2213—Referred to the Committee(s) on Health Care Licensing & Regulation.

HB 2215—Referred to the Committee(s) on Crime & Punishment and Criminal Justice Appropriations.

HB 2217—Referred to the Committee(s) on Regulated Services and Governmental Operations.

HB 2219—Referred to the Committee(s) on Children & Families, Education Innovation, and Health & Human Services Appropriations.

HB 2221—Referred to the Committee(s) on Insurance, Business Regulation & Consumer Affairs, and Governmental Rules & Regulations.

HB 2223—Referred to the Committee(s) on Criminal Justice Appropriations.

HB 2225—Referred to the Committee(s) on Judiciary, Finance & Taxation, and General Government Appropriations.

HB 2231—Referred to the Committee(s) on Utilities & Communications, Health Care Licensing & Regulation, and Transportation & Economic Development Appropriations.

HB 2233—Referred to the Committee(s) on Children & Families, Family Law & Children, and Education Appropriations.

HB 2235—Referred to the Committee(s) on Education Innovation.

HB 2237—Referred to the Committee(s) on Finance & Taxation and General Government Appropriations.

HB 2239—Referred to the Committee(s) on Community Affairs.

HB 2241—Referred to the Committee(s) on Education Innovation, Governmental Rules & Regulations, and Education Appropriations.

HB 2243—Referred to the Committee(s) on Health & Human Services Appropriations.

HB 2245—Referred to the Committee(s) on Governmental Rules & Regulations.

HB 2247—Referred to the Committee(s) on Colleges & Universities and Education Appropriations.

HB 2249—Referred to the Committee(s) on Community Affairs, Environmental Protection, and Transportation & Economic Development Appropriations.

HB 2251—Referred to the Committee(s) on Governmental Rules & Regulations.

HB 2253—Referred to the Committee(s) on Finance & Taxation and General Government Appropriations.

HB 2255—Referred to the Committee(s) on Finance & Taxation and General Government Appropriations.

HB 2257—Referred to the Committee(s) on Governmental Operations and General Government Appropriations.

HB 2259—Referred to the Committee(s) on Judiciary, Governmental Rules & Regulations, and Health & Human Services Appropriations.

HB 2261—Referred to the Committee(s) on Transportation & Economic Development Appropriations.

HB 2263—Referred to the Committee(s) on Education Appropriations.

HB 2265—Referred to the Committee(s) on Governmental Rules & Regulations, Finance & Taxation, and General Government Appropriations.

HB 2267—Referred to the Committee(s) on Election Reform, Governmental Operations, and Transportation & Economic Development Appropriations.

HB 2269—Referred to the Committee(s) on Governmental Operations and Election Reform.

HB 2271—Referred to the Committee(s) on Tourism and Transportation & Economic Development Appropriations.

HB 2273—Referred to the Committee(s) on Tourism and Transportation & Economic Development Appropriations.

HB 2275—Referred to the Committee(s) on Criminal Justice Appropriations.

HB 2277—Referred to the Calendar of the House.

HB 2279—Referred to the Calendar of the House.

HB 2281—Referred to the Committee(s) on Regulated Services, Finance & Taxation, and General Government Appropriations.

HB 2283—Referred to the Committee(s) on Governmental Rules & Regulations, Finance & Taxation, and Education Appropriations.

Additional Reference of Bills

CS/HB 221 was further referred to the Committee on Water & Resource Management and remains referred to the Committee on General Government Appropriations. The references were reordered to the Committees on Water & Resource Management and General Government Appropriations.

CS/HB 329 was further referred to the Committee on Community Affairs.

First Reading of Committee Substitutes by Publication

By the Committee on Environmental Protection; Representatives Argenziano, Putnam, Dockery, and Tullis—

CS/HB 167—A bill to be entitled An act relating to environmental control; amending s. 253.03, F.S.; providing that the Board of Trustees

of the Internal Improvement Trust Fund and the state may not control, regulate, permit, or charge for specified removed organic detrital material; amending s. 369.20, F.S.; requiring the Department of Environmental Protection to develop by rule standards which provide specific criteria for the removal and replanting of vegetation permitted under the Florida Aquatic Weed Control Act; revising an exemption from permitting requirements with respect to removal by a riparian owner of specified herbaceous aquatic plants and semiwoody herbaceous plants in freshwater bodies; including free-floating vegetation, invasive plants, and organic detrital material within such exemption; amending s. 403.813, F.S.; revising an exemption from permitting requirements under ch. 403, F.S., to include the removal of invasive plants and the removal of organic detrital material from freshwater lakes and rivers under specified conditions; providing an effective date.

By the Committee on Environmental Protection; Representatives Constantine and Dockery—

CS/HB 221—A bill to be entitled An act relating to Everglades restoration and funding; amending s. 201.15, F.S.; providing for distribution of tax revenues to the Save Our Everglades Trust Fund; amending s. 215.22, F.S.; providing that the Save Our Everglades Trust Fund is exempt from certain service charges; amending s. 259.101, F.S.; revising redistribution criteria for unencumbered balances from the Florida Preservation 2000 program; deleting provision for carryforward of unspent funds; deleting a repealer; amending s. 259.105, F.S.; providing for transfer of funds from the Florida Forever Trust Fund into the Save Our Everglades Trust Fund; amending ss. 259.1051 and 375.045, F.S.; excluding Save Our Everglades Trust Fund distributions from requirement for expenditure within 90 days after transfer; creating s. 373.470, F.S.; creating the “Everglades Restoration Investment Act”; providing definitions; providing legislative intent; providing for a planning process; providing for project implementation reports; providing for the deposit of specified funds into the Save Our Everglades Trust Fund; providing supplemental funds; providing for distributions from the Save Our Everglades Trust Fund; providing for an accounting of expenditures; providing for annual progress reports; providing redistribution of funds; providing effective dates.

By the Committee on Transportation; Representatives Crady and Chestnut—

CS/HB 485—A bill to be entitled An act relating to Bradford County; authorizing Bradford County to transfer and use legally restricted fuel taxes for unrestricted purposes for all fiscal years through 1996-1997; requiring repayment of such fuel taxes within 25 years; providing for the source and use of such repayments; providing an effective date.

By the Committees on Governmental Rules & Regulations; Health Care Licensing & Regulation; Representatives Minton, Tullis, Johnson, and Greenstein—

CS/CS/HB 591—A bill to be entitled An act relating to health care services; amending s. 400.471, F.S.; deleting the certificate-of-need requirement for licensure of Medicare-certified home health agencies; amending s. 400.606, F.S.; conforming to the act provisions relating to certificate-of-need requirements for hospice licensure; amending s. 408.032, F.S.; revising definitions; amending s. 408.033, F.S.; deleting references to the state health plan; amending s. 408.034, F.S.; deleting a reference to licensing of home health agencies by the Agency for Health Care Administration; amending s. 408.035, F.S.; deleting obsolete certificate-of-need review criteria and revising other criteria; amending s. 408.036, F.S.; revising provisions relating to projects subject to review; deleting references to Medicare-certified home health agencies; deleting the review of certain acquisitions; specifying the types of bed increases subject to review; deleting cost overruns from review; deleting review of combinations or division of nursing home certificates of need; providing for expedited review of certain conversions of licensed hospital beds; deleting the requirement for an exemption for initiation or expansion of obstetric services, provision of respite care services, establishment of a Medicare-certified home health agency, or provision of a health service exclusively on an outpatient basis; providing a sunset date for review of the establishment of a hospice program or hospice

inpatient facility; providing exemptions for combinations or divisions of nursing home certificates of need and additions of certain hospital beds and nursing home beds within specified limitations; requiring a fee for each request for exemption; amending s. 408.037, F.S.; deleting reference to the state health plan; amending ss. 408.038, 408.039, 408.044, and 408.045, F.S.; replacing “department” with “agency”; clarifying the opportunity to challenge an intended award of a certificate of need; amending s. 408.040, F.S.; deleting an obsolete reference; revising the format of conditions related to Medicaid; creating a certificate-of-need workgroup within the Agency for Health Care Administration; providing for expenses; providing membership, duties, and meetings; providing for termination; amending s. 401.25, F.S.; providing that certain municipalities may issue the certificate of public convenience and necessity required for licensure as a basic or an advanced life support service; amending s. 651.118, F.S.; excluding a specified number of beds from a time limit imposed on extension of authorization for continuing care residential community providers to use sheltered beds for nonresidents; requiring a facility to report such use after the expiration of the extension; repealing s. 400.464(3), F.S., relating to home health agency licenses provided to certificate-of-need exempt entities; providing effective dates.

By the Committee on Community Affairs; Representative Chestnut—

CS/HB 771—A bill to be entitled An act relating to enterprise zones; amending s. 290.0065, F.S.; providing for a change in the boundaries of an enterprise zone; providing limitations; amending ss. 290.00691 and 290.00692, F.S.; exempting certain enterprise zones in Columbia County and Suwannee County from a requirement that certain areas suffer from pervasive poverty, unemployment, and general distress; providing that businesses located in such enterprise zones may claim certain tax credits for hiring persons within the jurisdictions of the counties; revising qualifications for businesses in such zones to claim certain maximum tax exemptions or credits; creating ss. 290.00694, 290.00695, 290.00696, and 290.00697, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate enterprise zones in Sarasota County or Sarasota County and the City of Sarasota, Hernando County or Hernando County and the City of Brooksville, Calhoun County, and Holmes County; providing requirements with respect to such enterprise zones; authorizing certain cities to apply for expansion of certain enterprise zone boundaries; providing requirements; providing an effective date.

By the Committee on Election Reform; Representatives Reddick, Chestnut, and Ritchie—

CS/HJR 779—A joint resolution proposing an amendment to Section 4 of Article VI of the State Constitution, relating to suffrage and elections; authorizing the Legislature to provide the conditions under which a convicted felon’s right to register or vote may be restored.

By the Committee on Election Reform; Representatives Reddick and Chestnut—

CS/HB 781—A bill to be entitled An act relating to elections; amending s. 97.041, F.S.; providing for automatic restoration of former felons’ right to vote following completion and satisfaction of sentence of incarceration and community supervision; providing conditions for such automatic restoration; amending ss. 97.052, 97.053, and 98.0975, F.S., to conform; providing a conditional effective date.

By the Committee on Health Care Licensing & Regulation; Representative Kyle—

CS/HB 829—A bill to be entitled An act relating to public records; creating ss. 458.353 and 459.028, F.S.; providing exemptions from public records requirements for information contained in reports made by physicians and osteopathic physicians of adverse incidents occurring in office practice settings; providing for future review and repeal; providing findings of public necessity; providing an effective date.

By the Committee on Judiciary; Representative Brummer—

CS/HB 1035—A bill to be entitled An act relating to judicial nominating commissions; creating s. 43.291, F.S.; specifying

membership composition of judicial nominating commissions; providing appointment and reappointment eligibility restrictions; providing for terms; abolishing prior offices; providing for suspension or removal; requiring appointing authorities to ensure commission racial, ethnic, gender, and geographical diversity; requiring consideration of county representation on circuit judicial nominating commissions; requiring concurrence of a majority for commission actions; requiring appointing authorities to provide annual reports; specifying required information; providing an appropriation; repealing s. 43.29, F.S., relating to judicial nominating commissions; providing severability; providing an effective date.

By the Committee on Business Regulation & Consumer Affairs; Representatives Levine, Bloom, Bense, Jacobs, and Argenio—

CS/HB 1433—A bill to be entitled An act relating to pawnbrokers and secondhand dealers; creating s. 943.0546, F.S.; requiring the Department of Law Enforcement to administer a statewide database of pawnshop transactions and acquisitions of secondhand goods; requiring local law enforcement agencies to submit records of such transactions to the department; authorizing a law enforcement agency to access the database only for investigative purposes and subject to specified conditions; requiring the department to submit an annual report to the Legislature; requiring the department to adopt rules; amending s. 539.001, F.S.; revising a definition; specifying the form of a petition under which a claimant may bring an action to recover possession of misappropriated property; providing for a court to determine the disposition of misappropriated property as part of a criminal case; requiring the Department of Agriculture and Consumer Services to prescribe a pamphlet describing a claimant's rights to recover misappropriated property from a pawnbroker; requiring that the division prescribe by rule a disclosure form; requiring that such form be provided to any person demanding the return of property from a pawnbroker; clarifying agency for rulemaking purposes; providing an effective date.

By the Committee on Health Care Services; Representatives Farkas, Bloom, Goodlette, C. Green, Kelly, Jones, Rayson, Goode, Bitner, Ogles, Bilirakis, Gottlieb, Ritter, Wasserman Schultz, Greenstein, Eggelletion, Morroni, Johnson, Ryan, C. Smith, and Stafford—

CS/HB 1571—A bill to be entitled An act relating to small employer health alliances; amending s. 408.7056, F.S.; providing additional definitions for the Statewide Provider and Subscriber Assistance Program; amending s. 627.654, F.S.; providing for insuring small employers under policies issued to small employer health alliances; providing requirements for participation; providing limitations; providing for insuring spouses and dependent children; allowing a single master policy to include alternative health plans; amending s. 627.6571, F.S.; including small employer health alliances within policy nonrenewal or discontinuance, coverage modification, and application provisions; amending s. 627.6699, F.S.; revising restrictions relating to premium rates to authorize small employer carriers to modify rates under certain circumstances and to authorize carriers to issue group health insurance policies to small employer health alliances under certain circumstances; requiring carriers issuing a policy to an alliance to allow appointed agents to sell such a policy; amending ss. 240.2995, 240.2996, 240.512, 381.0406, 395.3035, and 627.4301, F.S.; conforming cross references; defining the term "managed care"; repealing ss. 408.70(3), 408.701, 408.702, 408.703, 408.704, 408.7041, 408.7042, 408.7045, 408.7055, and 408.706, F.S., relating to community health purchasing alliances; providing an effective date.

By the Committees on Judiciary; Law Enforcement & Crime Prevention; Representative Futch—

CS/HB 1597—A bill to be entitled An act relating to DNA testing; amending s. 943.325, F.S.; requiring certain persons convicted of burglary to submit blood specimens for DNA analysis; requiring persons on probation, community control, parole, conditional release, control release, or other supervision for any offense who are required to provide blood samples to provide them even without a court order requiring it; providing for enforcement; reenacting s. 810.02, F.S., relating to burglary; providing an effective date.

By the Committees on Environmental Protection; Water & Resource Management; Representatives Alexander, Betancourt, K. Smith, Boyd, and Cantens—

CS/HB 1757—A bill to be entitled An act relating to water resources; amending s. 403.0882, F.S.; reorganizing and clarifying the section; providing findings and declaration; providing definitions; directing the Department of Environmental Protection to initiate rulemaking, by a specified date, to address facilities that discharge demineralization concentrate; creating a technical advisory committee to assist in rule development; providing permitting requirements relating to failure of toxicity tests due to naturally occurring constituents; providing requirements for discharge of demineralization concentrate from small water utility businesses; providing additional rulemaking authority; amending s. 403.061, F.S.; providing an exemption allowing demineralization concentrate mixing zones in Outstanding Florida Waters if specific requirements are met; creating s. 403.065, F.S.; providing findings and declarations; providing for classification and permitting of aquifer storage and recovery wells; providing a zone of discharge for aquifer storage and recovery wells meeting specific criteria; providing monitoring requirements for aquifer storage and recovery wells; requiring an aquifer exemption for aquifer storage and recovery wells not exceeding primary drinking water standards other than total coliform bacteria or sodium; requiring the department to make a reasonable effort to issue or deny permits within 90 days; providing the department with rulemaking authority to implement this section; providing an effective date.

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

CS/HB 1885—A bill to be entitled An act relating to ad valorem taxation; creating s. 192.0105, F.S.; creating the Florida Taxpayer's Bill of Rights for property taxes and assessments, which compiles taxpayer rights as found in the Florida Statutes and rules of the Department of Revenue, including the right to know, the right to due process, the right to redress, and the right to confidentiality; providing an effective date.

By the Committee on Environmental Protection; Representative Argenio—

CS/HB 1887—A bill to be entitled An act relating to the South Florida Water Management District; amending s. 373.1501, F.S.; providing definitions; providing for acquisition of certain lands by eminent domain by the South Florida Water Management District; providing an effective date.

By the Committee on Business Development & International Trade; Representatives Johnson, Murman, Bradley, Ritchie, and Levine—

CS/HB 1909—A bill to be entitled An act relating to the Olympic Games; providing definitions; creating an Olympic Games Guaranty Account within the Economic Development Trust Fund; providing for purpose, administration, funding, and use of the account; providing requirements of and restrictions on the account; providing a limit on liability of the state; providing for termination of the account under specified conditions; providing for reversion of funds; requiring the local organizing committee to provide certain information; providing for the execution of games support contracts; providing requirements with respect to application for such contracts; providing criteria for contract approval; providing specified authority of the direct-support organization authorized under s. 288.1229, F.S.; providing a restriction on the direct-support organization; providing additional authority of specified agencies and entities; providing an effective date.

Ceremonial Resolutions

Adoption by Publication

At the request of Rep. Bloom—

HR 9073—A resolution honoring Daniel D. Cantor.

WHEREAS, revered philanthropist and renaissance man Daniel D. Cantor has made a pace-setting gift to Touro College, making it possible for the international college to open a campus in Florida, and

WHEREAS, Touro College was established with a vision for Jewish and human excellence and is committed to helping to intensify and enrich Jewish life in the United States, Israel, and abroad, offering undergraduate degrees in specific areas on 18 campuses worldwide, with the new undergraduate school in Florida to be named after Daniel D. Cantor in recognition of his generosity to the school and his vision and support for Jewish education, and

WHEREAS, Mr. Cantor has given and raised millions of dollars on behalf of a multitude of nonprofit organizations, and is the Founder and President Emeritus of the Daniel D. Cantor Senior Center, and

WHEREAS, Mr. Cantor has received many awards from Jewish, civic, and health organizations for his contributions as a noted humanitarian and philanthropist, and has received the distinguished honor of being named Florida's Founding Father in the American Promenade by the Joint Commission on the American Promenade, and the entire promenade, which is an Israeli national park serving as a gateway to the ancient city of Jerusalem, has been named the Daniel D. Cantor American Israel Promenade Plaza, 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 honor Daniel D. Cantor for his commitment to enriching the lives of Florida's citizens, his support for Jewish organizations, and his contributions toward the betterment of people everywhere.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Daniel D. Cantor as a tangible token of the sentiments expressed herein.

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

At the request of Rep. Bloom—

HR 9075—A resolution honoring retired Congressman William Lehman.

WHEREAS, Congressman William Lehman served in the United States House of Representatives for 20 years, representing northern Miami-Dade County, where the Lehman Causeway was named in his honor, and is credited with obtaining funding for Miami's Metrorail system, and

WHEREAS, Congressman Lehman is to be honored with the Tree of Life Award, presented by the Jewish National Fund, for his decades of distinguished public service and his commitment to the State of Israel, and

WHEREAS, starting out as a used car salesman in Selma, Alabama, William "Alabama Bill" Lehman sought to earn a teaching certificate and went to work at Miami Norland High School, eventually being elected to the Dade County Public School Board and again as chairman of the school board, and

WHEREAS, after serving on the Dade County School Board, William Lehman was elected to the United States House of Representatives, where he served for 20 years, and during his last 10 years of tenure in Congress, Congressman Lehman held the chairmanship of the Appropriations Committee on Transportation, and

WHEREAS, it is fitting and proper that the House of Representatives, in concert with the Jewish National Fund, recognize and honor this distinguished and dedicated statesman, 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 congratulate Congressman William Lehman on the occasion of his receipt of the Tree of Life Award from the Jewish National Fund, and extends its sincerest appreciation for his dedication and contributions to the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Congressman Lehman as a tangible token of the sentiments expressed herein.

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

Reports of Councils and Standing Committees

Amended Council Report

*The Honorable Joseph Arnall, Chair
Committee on Rules & Calendar*

March 21, 2000

Dear Sir:

The Consumer Affairs Council respectfully submits the following report of Council actions adopted on March 21, 2000.

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

DFT UCO 00-04, general subject matter, state credit card acceptance for transactions by the Committee on Utilities & Communications.

DFT UCO 00-05, general subject matter—providing procedures and incentives to establish a network access point in Florida by the Committee on Utilities & Communications.

DFT UCO 00-06, general subject matter—establishing a more simplified taxing scheme for communications services by the Committee on Utilities & Communications.

Pursuant to Rule 59(e), the Council adopted a motion to remove the following bills from General Calendar: CS/HB 247, HB 413, CS/HB 439, HB 1139.

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

1. CS/HB 439—Public Records/Certified Capital Co.
2. HB 87—Workers' Compensation
3. CS/HB 247—Reinsurance Credit
4. HB 1139—Consumer Loan Delinquency Charges
5. HB 413—Insurance/Countersignature Law

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

Sincerely,
David I. Bitner
Chair

Committee Reports

Received April 5:

The Committee on Criminal Justice Appropriations recommends the following pass:

- HB 677 (fiscal note attached, unanimous)
- CS/HB 955 (fiscal note attached, unanimous)
- CS/HB 1137 (fiscal note attached, unanimous)
- HB 1619 (fiscal note attached, unanimous)
- HB 1621 (fiscal note attached, unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Education Innovation recommends the following pass:

- HB 907 (unanimous)

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

The Committee on Corrections recommends the following pass:
CS/HB 805(unanimous)

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

The Committee on Financial Services recommends the following pass:
HB 37 (unanimous)

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

The Committee on Education Innovation recommends the following pass:

HB 825 (unanimous)

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

The Committee on Environmental Protection recommends a committee substitute for the following:

HB 221 (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 221 was laid on the table.

The Committee on Governmental Rules & Regulations recommends a committee substitute for the following:

CS/HB 591

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, CS/HB 591 was laid on the table.

The Committee on Transportation recommends the following pass:

HB 1979, with 3 amendments (unanimous)

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

The Committee on Family Law & Children recommends the following pass:

HB 1417, with 1 amendment (unanimous)

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

The Committee on Crime & Punishment recommends the following pass:

HB 447 (unanimous)

HB 449 (unanimous)

The above bills were referred to the Committee on Family Law & Children.

The Committee on Financial Services recommends the following pass:

HB 425 (unanimous)

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

The Committee on Real Property & Probate recommends the following pass:

HJR 631

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

The Committee on Crime & Punishment recommends the following pass:

CS/HB 589 (unanimous)

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

The Committee on Family Law & Children recommends the following pass:

HB 2123, with 1 amendment (unanimous)

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

The Committee on Transportation recommends the following pass:

HB 1967, with 3 amendments (unanimous)

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

The Committee on Education Innovation recommends the following pass:

HB 341 (unanimous)

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

The Committee on Financial Services recommends the following pass:

HB 1831 (unanimous)

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

The Committee on Insurance recommends the following pass:

HB 527, with 1 amendment

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

The Committee on Financial Services recommends the following pass:

HB 553, with 1 amendment

The above bill was referred to the Committee on Judiciary.

The Committee on Law Enforcement & Crime Prevention recommends the following pass:

HB 1937, with 1 amendment (unanimous)

The above bill was referred to the Committee on Judiciary.

The Committee on Business Development & International Trade recommends a committee substitute for the following:

HB 1909 (unanimous)

The above committee substitute was referred to the Committee on Finance & Taxation, subject to review under Rule 113(b), and, under the rule, HB 1909 was laid on the table.

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

HB 771 (unanimous)

The above committee substitute was referred to the Committee on Finance & Taxation, subject to review under Rule 113(b), and, under the rule, HB 771 was laid on the table.

The Committee on Health Care Licensing & Regulation recommends a committee substitute for the following:

HB 829 (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 829 was laid on the table.

The Committee on Environmental Protection recommends a committee substitute for the following:

HB 1757

The above committee substitute was referred to the Committee on Governmental Rules & Regulations, subject to review under Rule 113(b), and, under the rule, HB 1757 was laid on the table.

The Committee on Election Reform recommends a committee substitute for the following:

HJR 779

The above committee substitute was referred to the Committee on Judiciary, subject to review under Rule 113(b), and, under the rule, HJR 779 was laid on the table.

The Committee on Environmental Protection recommends a committee substitute for the following:

HB 1887 (unanimous)

The above committee substitute was referred to the Committee on Real Property & Probate, subject to review under Rule 113(b), and, under the rule, HB 1887 was laid on the table.

The Committee on Law Enforcement & Crime Prevention recommends the following not pass:

HB 1881

The above bill was laid on the table under the rule.

Received April 6:

The Committee on Agriculture recommends the following pass:
HB 355, with 1 amendment

The above bill was placed on the appropriate Calendar.

The Committee on Children & Families recommends the following pass:

HB 2065 (unanimous)

The above bill was placed on the appropriate Calendar.

The Committee on Education Appropriations recommends the following pass:

HB 33 (fiscal note attached)
HB 655, with 1 amendment (fiscal note attached, unanimous)
HB 801 (fiscal note attached, unanimous)
HB 1121 (fiscal note attached)
HB 1943 (fiscal note attached, unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Finance & Taxation recommends the following pass:

HB 509, with 1 amendment (fiscal note attached, unanimous)
HB 965 (fiscal note attached, unanimous)
HB 969 (fiscal note attached, unanimous)
HB 1443 (fiscal note attached, unanimous)
HB 1549 (fiscal note attached, unanimous)
HB 1561 (fiscal note attached, unanimous)
HB 1563 (fiscal note attached, unanimous)
HB 1593 (fiscal note attached, unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on General Government Appropriations recommends the following pass:

HB 227 (fiscal note attached, unanimous)
CS/HB 301 (fiscal note attached, unanimous)
CS/HB 465, with 1 amendment (fiscal note attached, unanimous)
CS/CS/HB 615 (fiscal note attached, unanimous)
HB 739 (fiscal note attached)
CS/HB 915 (fiscal note attached, unanimous)
CS/CS/HB 991, with 1 amendment (fiscal note attached, unanimous)
HB 1189 (fiscal note attached, unanimous)
HB 1599 (fiscal note attached)
HB 2109 (fiscal note attached, unanimous)

The above bills were placed on the appropriate Calendar.

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

HB 2067 (unanimous)
HB 2071 (unanimous)
HB 2111 (unanimous)

The above bills were placed on the appropriate Calendar.

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

HB 25 (fiscal note attached, unanimous)
CS/HB 111 (fiscal note attached, unanimous)
CS/HB 207 (fiscal note attached, unanimous)
CS/HB 1539, with 2 amendments (fiscal note attached, unanimous)

HB 1579 (fiscal note attached, unanimous)
HB 2019 (fiscal note attached, unanimous)

The above bills were placed on the appropriate Calendar.

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

CS/HBs 1153 & 845

The above bill was placed on the appropriate Calendar.

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

CS/CS/HB 113 (fiscal note attached, unanimous)
HB 117 (fiscal note attached)
CS/HB 185 (fiscal note attached, unanimous)
CS/HB 315, with 1 amendment (fiscal note attached, unanimous)
HB 407 (fiscal note attached, unanimous)
HB 1609 (fiscal note attached, unanimous)
HB 1675 (fiscal note attached)

The above bills were placed on the appropriate Calendar.

The Committee on Finance & Taxation recommends the following pass:

HB 289, with 1 amendment (fiscal note attached, unanimous)

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

The Committee on Finance & Taxation recommends the following pass:

HB 127 (fiscal note attached, unanimous)

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

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

HB 2099 (unanimous)

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

The Committee on Finance & Taxation recommends the following pass:

CS/HB 797 (fiscal note attached, unanimous)
HB 1141 (fiscal note attached, unanimous)
HB 1435 (fiscal note attached, unanimous)
HB 1459 (fiscal note attached, unanimous)
HB 1535, with 1 amendment (fiscal note attached, unanimous)

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

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

HB 2097, with 9 amendments (unanimous)

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

The Committee on Judiciary recommends the following pass:
HB 1807, with 1 amendment

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

The Committee on Finance & Taxation recommends the following pass:

CS/CS/HB 71, with 1 amendment (fiscal note attached, unanimous)

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

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

HB 1869 (unanimous)
 HB 1871 (unanimous)
 HB 2093 (unanimous)

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

The Committee on Finance & Taxation recommends the following pass:

CS/HB 571 (fiscal note attached, unanimous)

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

The Committee on Judiciary recommends the following pass:
 HB 1725, with 1 amendment (unanimous)

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

The Committee on Judiciary recommends a committee substitute for the following:
 HB 1035

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 1035 was laid on the table.

The Committee on Health Care Services recommends the following pass:
 HB 531, with 1 amendment

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

The Committee on Health Care Licensing & Regulation recommends the following pass:
 HB 1741 (unanimous)

The above bill was referred to the Committee on Corrections.

The Committee on Judiciary recommends the following pass:
 CS/HB 43, with 1 amendment

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

The Committee on Agriculture recommends the following pass:
 HB 1951, with 2 amendments (unanimous)

The above bill was referred to the Committee on Education Innovation.

The Committee on Agriculture recommends the following pass:
 HB 2119 (unanimous)

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

The Committee on Governmental Rules & Regulations recommends the following pass:
 HB 1155

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

The Committee on Children & Families recommends the following pass:
 CS/HB 237, with 3 amendments (unanimous)

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

The Committee on Family Law & Children recommends the following pass:
 HB 1903, with 1 amendment (unanimous)

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

The Committee on Health Care Services recommends the following pass:

HB 2037, with 1 amendment (unanimous)

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

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

CS/HB 769, with 2 amendments (unanimous)

CS/HB 1087, with 1 amendment (unanimous)

The above bills were referred to the Committee on Governmental Rules & Regulations.

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

HB 1193 (unanimous)

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

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

HB 485 (unanimous)

The above committee substitute was referred to the Committee on Community Affairs, subject to review under Rule 113(b), and, under the rule, HB 485 was laid on the table.

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

HB 1597 (unanimous)

The above committee substitute was referred to the Committee on Corrections, subject to review under Rule 113(b), and, under the rule, HB 1597 was laid on the table.

The Committee on Business Regulation & Consumer Affairs recommends a committee substitute for the following:

HB 1433 (unanimous)

The above committee substitute was referred to the Committee on Crime & Punishment, subject to review under Rule 113(b), and, under the rule, HB 1433 was laid on the table.

The Committee on Real Property & Probate recommends a committee substitute for the following:

HB 1885 (unanimous)

The above committee substitute was referred to the Committee on Governmental Rules & Regulations, subject to review under Rule 113(b), and, under the rule, HB 1885 was laid on the table.

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

HB 1571 (unanimous)

The above committee substitute was referred to the Committee on Insurance, subject to review under Rule 113(b), and, under the rule, HB 1571 was laid on the table.

The Committee on Election Reform recommends a committee substitute for the following:

HB 781

The above committee substitute was referred to the Committee on Judiciary, subject to review under Rule 113(b), and, under the rule, HB 781 was laid on the table.

The Committee on Environmental Protection recommends a committee substitute for the following:

HB 167

The above committee substitute was referred to the Committee on Real Property & Probate, subject to review under Rule 113(b), and, under the rule, HB 167 was laid on the table.

Enrolling Reports

HB 65, CS/HB 143, CS/HB 313, CS/HB 405, and HB 729 have been enrolled, signed by the required constitutional officers, and presented to the Governor on April 5, 2000.

John B. Phelps, Clerk

Excused

Reps. Ball, Effman; Rep. Logan after 9:57 a.m.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 11:41 a.m., to reconvene at 9:20 a.m., Wednesday, April 12.