



# *The Journal* OF THE *House of Representatives*

SECOND SPECIAL SESSION—"B" of 2000-2002

Number 5

Tuesday, October 30, 2001

The House was called to order by the Speaker at 1:03 p.m.

## Prayer

The following prayer was offered by the Honorable Dick Kravitz:

No religion is an island;  
there is no monopoly on holiness.

We are companions of all who revere Him.  
We rejoice when His name is praised.

No religion is an island;  
we share the kinship of humanity,  
the capacity for compassion.

The hand of God is extended to all who seek Him.  
He is near to all who call upon Him in truth.

God's spirit rests upon all, Jew or Gentile,  
man or woman, in consonance with their deeds.

The creation of one Adam promotes peace.  
No one can claim: my ancestry is nobler than yours.

There is no monopoly on holiness;  
there is no truth without humility.

We are diverse in our devotion and commitment.  
We must unite in working now for the kingship of God.

He is near to all who call Him in truth.  
There can be disagreement without disrespect.

Let us help one another overcome hardness of heart,  
opening minds to the challenges of faith.

Should we hope for each other's failure?  
Or should we pray for each other's welfare?

Let mutual concern replace remnants of mutual contempt,  
as we share the precarious position of being human.

Have we not all one Father? Are we not all His children?

Let us not be guided by ignorance or disdain.  
Let lives of holiness illuminate all our paths.

The hand of God is extended to all who seek Him.  
Let our deeds reflect that we share the image of God.

Let those who revere the Lord speak one to another,  
leading everyone to acknowledge the splendor of God.

We ask these things in His holy name. Amen.

The following Members were recorded present:

Session Vote Sequence: 601

The Chair	Clarke	Heyman	Needelman
Alexander	Crow	Hogan	Negron
Allen	Cusack	Holloway	Paul
Andrews	Davis	Jennings	Peterman
Argenziano	Detert	Johnson	Pickens
Arza	Diaz de la Portilla	Jordan	Prieguez
Attkisson	Diaz-Balart	Joyner	Rich
Atwater	Dockery	Justice	Richardson
Ausley	Evers	Kallinger	Ritter
Baker	Farkas	Kendrick	Romeo
Ball	Fasano	Kilmer	Ross
Barreiro	Fields	Kosmas	Rubio
Baxley	Fiorentino	Kottkamp	Russell
Bean	Flanagan	Kravitz	Ryan
Bendross-Mindingall	Frankel	Kyle	Seiler
Bennett	Gannon	Lacasa	Simmons
Bense	Garcia	Lee	Siplin
Benson	Gardiner	Lerner	Smith
Berfield	Gelber	Littlefield	Sobel
Betancourt	Gibson	Lynn	Sorensen
Bilirakis	Goodlette	Machek	Spratt
Bowen	Gottlieb	Mack	Stansel
Brown	Green	Mahon	Trovillion
Brummer	Greenstein	Mayfield	Wallace
Brutus	Haridopolos	Maygarden	Waters
Bucher	Harper	McGriff	Weissman
Bullard	Harrell	Meadows	Wiles
Byrd	Harrington	Mealor	Wilson
Cantens	Hart	Melvin	Wishner
Carassas	Henriquez	Murman	

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

A quorum was present.

## Pledge

The Members, led by the Honorable Marsha L. "Marty" Bowen, pledged allegiance to the Flag.

## Correction of the *Journal*

The *Journal* of October 25 was corrected and approved as follows: On page 22, column 2, lines 5-13 from the top, in the Cosponsors for HB 53-B, after Bullard, delete: Attkisson, Atwater, Baker, Barreiro, Baxley, Bean, Bennett, Benson, Berfield, Betancourt, Bowen, Brutus, Cantens, Clarke, Crow, Davis, Detert, Diaz de la Portilla, Dockery, Evers, Farkas,

Fiorentino, Flanagan, Garcia, Gibson, Goodlette, Green, Harrell, Harrington, Holloway, Jordan, Kallinger, Kottkamp, Kravitz, Lacasa, Littlefield, Lynn, Macheck, Mayfield, Meadows, Mealor, Melvin, Murman, Needelman, Negron, Paul, Pickens, Ritter, Ross, Rubio, Russell, Sorensen, Spratt, Stansel, Trovillion, Wallace, Waters

### Communications

*The Honorable Tom Feeney* October 25, 2001  
*Speaker of the House of Representatives*

*Dear Mr. Speaker:*

In compliance with Article III, Section 19(d) of the Constitution, copies of Committee Substitute for Senate Bill 2-B and Committee Substitute for Senate Bill 4-B relating to appropriations have been furnished to each member of the Legislature, the Governor, each member of the Cabinet and the Supreme Court.

Delivery was completed October 25, 2001 at 5:10 p.m., EDT.

Respectfully submitted,  
*John B. Phelps*  
Clerk of the House

*The Honorable John M. McKay* October 30, 2001  
*President, The Florida Senate*

*Dear Mr. President:*

In compliance with Article III, Section 19(d) of the Constitution and Joint Rule 2, copies of SB 110-B and SB 112-B have been furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet.

Delivery was completed October 30, 2001 at 11:50 a.m., EST.

Respectfully submitted,  
*Faye W. Blanton*  
Secretary of the Senate

### Changes in Council and Committee Assignments

The Speaker advised that he had appointed Rep. Brown as Vice Chair of the Committee on State Administration in addition to previous appointments.

The Speaker also advised that he had appointed Rep. Fasano to the Committee on State Administration in addition to previous appointments.

On motion by Rep. Byrd, the House moved to the order of—

### Introduction and Reference

On motion by Rep. Ritter, the House agreed to take up HB 67-B for consideration.

By Representative Ritter—

**HB 67-B**—A bill to be entitled An act relating to driver licenses; amending s. 322.031, F.S.; providing for the expiration date of certain drivers' licenses issued to foreign residents who are in Florida with a visa; prohibiting renewal without a valid visa; providing an effective date.

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

Session Vote Sequence: 602

Yeas—119

The Chair	Argenziano	Ausley	Baxley
Alexander	Arza	Baker	Bean
Allen	Attkisson	Ball	Bendross-Mindingall
Andrews	Atwater	Barreiro	Bennett

Bense	Fiorentino	Kallinger	Pickens
Benson	Flanagan	Kendrick	Prieguez
Berfield	Frankel	Kilmer	Rich
Betancourt	Gannon	Kosmas	Richardson
Bilirakis	Garcia	Kottkamp	Ritter
Bowen	Gardiner	Kravitz	Romeo
Brown	Gelber	Kyle	Ross
Brummer	Gibson	Lacasa	Rubio
Brutus	Goodlette	Lee	Russell
Bucher	Gottlieb	Lerner	Ryan
Bullard	Green	Littlefield	Seiler
Byrd	Greenstein	Lynn	Simmons
Cantens	Haridopolos	Macheck	Siplin
Carassas	Harper	Mack	Smith
Clarke	Harrell	Mahon	Sobel
Crow	Harrington	Mayfield	Sorensen
Cusack	Hart	Maygarden	Spratt
Davis	Henriquez	McGriff	Stansel
Detert	Heyman	Meadows	Trovillion
Diaz de la Portilla	Hogan	Mealor	Wallace
Diaz-Balart	Holloway	Melvin	Waters
Dockery	Jennings	Murman	Weissman
Evers	Johnson	Needelman	Wiles
Farkas	Jordan	Negron	Wilson
Fasano	Joyner	Paul	Wishner
Fields	Justice	Peterman	

Nays—None

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

On motion by Rep. Kilmer, the House agreed to take up HB 71-B for consideration.

By Representatives Kilmer, Melvin, Maygarden, Cantens, Goodlette, Diaz de la Portilla, Johnson, Byrd, Fasano, Bowen, Atwater, Haridopolos, Pickens, Needelman, Jennings, Kottkamp, Holloway, Davis, Gibson, Trovillion, Alexander, Harrington, Ross, Paul, Brown, Hart, Waters, and Dockery—

**HB 71-B**—A bill to be entitled An act relating to the Florida Disaster Volunteer Leave Act; amending s. 110.120, F.S.; authorizing the Governor and Cabinet to approve leave under the act for services in response to a disaster occurring within the boundaries of the United States; providing an effective date.

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

Session Vote Sequence: 603

Yeas—117

The Chair	Betancourt	Evers	Harrington
Alexander	Bilirakis	Farkas	Hart
Allen	Bowen	Fasano	Henriquez
Andrews	Brown	Fields	Heyman
Argenziano	Brummer	Fiorentino	Hogan
Arza	Brutus	Flanagan	Holloway
Attkisson	Bucher	Frankel	Jennings
Atwater	Bullard	Gannon	Johnson
Ausley	Byrd	Garcia	Joyner
Baker	Cantens	Gardiner	Justice
Ball	Carassas	Gelber	Kallinger
Barreiro	Clarke	Gibson	Kendrick
Baxley	Crow	Goodlette	Kilmer
Bean	Cusack	Gottlieb	Kosmas
Bendross-Mindingall	Davis	Green	Kottkamp
Bennett	Detert	Greenstein	Kravitz
Bense	Diaz de la Portilla	Haridopolos	Kyle
Benson	Diaz-Balart	Harper	Lacasa
Berfield	Dockery	Harrell	Lee

Lerner	Melvin	Romeo	Stansel
Littlefield	Murman	Ross	Trovillion
Lynn	Needelman	Rubio	Wallace
Machek	Negron	Russell	Waters
Mack	Paul	Ryan	Weissman
Mahon	Peterman	Seiler	Wiles
Mayfield	Pickens	Simmons	Wilson
Maygarden	Prieguez	Siplin	Wishner
McGriff	Rich	Smith	
Meadows	Richardson	Sobel	
Mealor	Ritter	Spratt	

Nays—None

Votes after roll call:

Yeas—Jordan, Sorensen

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

By the Fiscal Responsibility Council; Representative Lacasa—

**HB 73-B**—A bill to be entitled An act relating to transfers to the General Revenue Fund from other funds; amending s. 216.222, F.S.; authorizing the Comptroller to use funds of the Budget Stabilization Fund to offset a projected deficit in the General Revenue Fund; providing conditions and requirements for such transfer of funds; providing for repayment of the amount transferred; authorizing use of the Budget Stabilization Fund to provide temporary loans to the General Revenue Fund; amending s. 215.32, F.S.; authorizing use of the Working Capital Fund to provide temporary loans to the General Revenue Fund; amending s. 215.18, F.S.; authorizing use of the Budget Stabilization Fund and the Working Capital Fund as sources for loans to the General Revenue Fund; providing conditions and requirements for such loans; providing an effective date.

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

Session Vote Sequence: 604

Yeas—118

The Chair	Crow	Hogan	Negron
Alexander	Cusack	Holloway	Paul
Allen	Davis	Jennings	Peterman
Andrews	Detert	Johnson	Pickens
Argenziano	Diaz de la Portilla	Jordan	Prieguez
Arza	Diaz-Balart	Joyner	Rich
Attkisson	Dockery	Justice	Richardson
Atwater	Evers	Kallinger	Ritter
Ausley	Farkas	Kendrick	Romeo
Baker	Fasano	Kilmer	Ross
Ball	Fields	Kosmas	Rubio
Barreiro	Fiorentino	Kottkamp	Russell
Baxley	Flanagan	Kravitz	Ryan
Bean	Frankel	Kyle	Seiler
Bendross-Mindingall	Gannon	Lacasa	Simmons
Bennett	Garcia	Lee	Siplin
Bense	Gardiner	Lerner	Smith
Benson	Gelber	Littlefield	Sobel
Berfield	Gibson	Lynn	Sorensen
Betancourt	Goodlette	Machek	Spratt
Bilirakis	Gottlieb	Mack	Stansel
Bowen	Green	Mahon	Trovillion
Brown	Greenstein	Mayfield	Wallace
Brummer	Haridopolos	Maygarden	Waters
Brutus	Harper	McGriff	Weissman
Bullard	Harrell	Meadows	Wiles
Byrd	Harrington	Mealor	Wilson
Cantens	Hart	Melvin	Wishner
Carassas	Henriquez	Murman	
Clarke	Heyman	Needelman	

Nays—1

Bucher

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

By Representative Melvin—

**HB 85-B**—A bill to be entitled An act relating to assignment of teachers and administrators to classroom duty; creating s. 231.093, F.S.; prohibiting special assignment of instructional personnel that would remove such personnel from classroom teaching; providing an exception; providing for assignment of administrators to classroom duty under certain circumstances; providing an effective date.

—was read the first time by title. Rep. Melvin moved to waive the rules and read the bill the second time, which was not agreed to by the required two-thirds vote.

By Representatives Kyle and Byrd—

**HB 93-B**—A bill to be entitled An act relating to the Florida Teachers Lead Program Stipend; amending s. 24.121, F.S., relating to allocation and expenditure of lottery funds for public education; providing for a specified amount of the unencumbered balance in the Administrative Trust Fund to be used to fund the Florida Teachers Lead Program Stipend in fiscal year 2001-2002; amending s. 231.67, F.S., relating to the Florida Teachers Lead Program Stipend, to conform; providing an effective date.

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

Session Vote Sequence: 605

Yeas—119

The Chair	Clarke	Heyman	Needelman
Alexander	Crow	Hogan	Negron
Allen	Cusack	Holloway	Paul
Andrews	Davis	Jennings	Peterman
Argenziano	Detert	Johnson	Pickens
Arza	Diaz de la Portilla	Jordan	Prieguez
Attkisson	Diaz-Balart	Joyner	Rich
Atwater	Dockery	Justice	Richardson
Ausley	Evers	Kallinger	Ritter
Baker	Farkas	Kendrick	Romeo
Ball	Fasano	Kilmer	Ross
Barreiro	Fields	Kosmas	Rubio
Baxley	Fiorentino	Kottkamp	Russell
Bean	Flanagan	Kravitz	Ryan
Bendross-Mindingall	Frankel	Kyle	Seiler
Bennett	Gannon	Lacasa	Simmons
Bense	Garcia	Lee	Siplin
Benson	Gardiner	Lerner	Smith
Berfield	Gelber	Littlefield	Sobel
Betancourt	Gibson	Lynn	Sorensen
Bilirakis	Goodlette	Machek	Spratt
Bowen	Gottlieb	Mack	Stansel
Brown	Green	Mahon	Trovillion
Brummer	Greenstein	Mayfield	Wallace
Brutus	Haridopolos	Maygarden	Waters
Bucher	Harper	McGriff	Weissman
Bullard	Harrell	Meadows	Wiles
Byrd	Harrington	Mealor	Wilson
Cantens	Hart	Melvin	Wishner
Carassas	Henriquez	Murman	

Nays—None

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

By the Fiscal Responsibility Council; Representative Fasano—

**HB 63-B**—A bill to be entitled An act relating to state funds; reenacting s. 215.32(2)(b), F.S., to implement the transfer of moneys to

the Working Capital Fund from certain trust funds; providing an effective date.

—was read the first time by title. On motion by Rep. Fasano, the rules were waived and the bill was read the second time by title.

Representative(s) Fasano offered the following:

(Amendment Bar Code: 675071)

**Amendment 1**—On page 1, lines 10 through 14 remove from the bill: all of said lines

and insert in lieu thereof:

Section 1. Paragraph (b) of subsection (2) of

Rep. Fasano moved the adoption of the amendment.

On motion by Rep. Fasano, further consideration of **HB 63-B**, with pending amendment, was temporarily postponed under Rule 11.10.

By Representative Fasano—

**HB 145-B**—A bill to be entitled An act relating to compensation of state officials; prescribing the salary rate for specified state officials; providing an expiration date and an effective date.

—was read the first time by title.

On motion by Rep. Fasano, further consideration of **HB 145-B** was temporarily postponed under Rule 11.10.

By Representatives Goodlette, Harrell, Green, Cusack, Gelber, Ball, Macheck, and Bullard—

**HB 103-B**—A bill to be entitled An act relating to terrorism; creating s. 775.30, F.S.; defining “terrorism” for purposes of the Florida Criminal Code; providing an effective date.

—was read the first time by title. On motion by Rep. Goodlette, the rules were waived and the bill was read the second time by title.

The Committee on Security, Select offered the following:

(Amendment Bar Code: 422503)

**Amendment 1**—On page 1, lines 16-22, remove from the bill: all of said lines

and insert in lieu thereof:

(2) *Is intended to:*

(a) *Intimidate, injure, or coerce a civilian population;*

(b) *Influence the policy of a government by intimidation or coercion;*  
or

(c) *Affect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.*

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

Representative(s) Cantens and Hart offered the following:

(Amendment Bar Code: 472251)

**Amendment 2**—On page 1, lines 13-15, remove from the bill: all of said lines

and insert in lieu thereof:

(1)(a) *Involves a violent act or an act dangerous to human life which is a violation of the criminal laws of this state or of the United States; or*

(b) *Involves a violation of s. 815.06; and*

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

Representative(s) Cantens offered the following:

(Amendment Bar Code: 060473)

**Amendment 3 (with title amendment)**—On page 1 of the bill between lines 22 and 23

insert:

Section 2. Paragraph (a) of subsection (4) of s.907.041, Florida Statutes, is amended to read:

907.041 Pretrial detention and release.—

(4) PRETRIAL DETENTION.—

(a) As used in this subsection, “dangerous crime” means any of the following:

1. Arson;
  2. Aggravated assault;
  3. Aggravated battery;
  4. Illegal use of explosives;
  5. Child abuse or aggravated child abuse;
  6. Abuse of an elderly person or disabled adult, or aggravated abuse of an elderly person or disabled adult;
  7. ~~Aircraft piracy~~ **Hijacking**;
  8. Kidnapping;
  9. Homicide;
  10. Manslaughter;
  11. Sexual battery;
  12. Robbery;
  13. Carjacking;
  14. Lewd, lascivious, or indecent assault or act upon or in presence of a child under the age of 16 years;
  15. Sexual activity with a child, who is 12 years of age or older but less than 18 years of age, by or at solicitation of person in familial or custodial authority;
  16. Burglary of a dwelling;
  17. Stalking and aggravated stalking;
  18. Act of domestic violence as defined in s. 741.28; ~~and~~
  19. *Home invasion robbery*;
  20. *Act of terrorism as defined in s.775.30; and*
  21. Attempting or conspiring to commit any such crime; ~~and home-invasion robbery~~.
- (b) No person charged with a dangerous crime shall be granted nonmonetary pretrial release at a first appearance hearing; however, the court shall retain the discretion to release an accused on electronic monitoring or on recognizance bond if the findings on the record of facts and circumstances warrant such a release.
- (c) The court may order pretrial detention if it finds a substantial probability, based on a defendant’s past and present patterns of behavior, the criteria in s. 903.046, and any other relevant facts, that any of the following circumstances exists:
1. The defendant has previously violated conditions of release and that no further conditions of release are reasonably likely to assure the defendant’s appearance at subsequent proceedings;
  2. The defendant, with the intent to obstruct the judicial process, has threatened, intimidated, or injured any victim, potential witness,

juror, or judicial officer, or has attempted or conspired to do so, and that no condition of release will reasonably prevent the obstruction of the judicial process;

3. The defendant is charged with trafficking in controlled substances as defined by s. 893.135, that there is a substantial probability that the defendant has committed the offense, and that no conditions of release will reasonably assure the defendant's appearance at subsequent criminal proceedings; or

4. The defendant is charged with DUI manslaughter, as defined by s. 316.193, and that there is a substantial probability that the defendant committed the crime and that the defendant poses a threat of harm to the community; conditions that would support a finding by the court pursuant to this subparagraph that the defendant poses a threat of harm to the community include, but are not limited to, any of the following:

a. The defendant has previously been convicted of any crime under s. 316.193, or of any crime in any other state or territory of the United States that is substantially similar to any crime under s. 316.193;

b. The defendant was driving with a suspended driver's license when the charged crime was committed; or

c. The defendant has previously been found guilty of, or has had adjudication of guilt withheld for, driving while the defendant's driver's license was suspended or revoked in violation of s. 322.34;

5. The defendant poses the threat of harm to the community. The court may so conclude, if it finds that the defendant is presently charged with a dangerous crime, that there is a substantial probability that the defendant committed such crime, that the factual circumstances of the crime indicate a disregard for the safety of the community, and that there are no conditions of release reasonably sufficient to protect the community from the risk of physical harm to persons.

6. The defendant was on probation, parole, or other release pending completion of sentence or on pretrial release for a dangerous crime at the time the current offense was committed; or

7. The defendant has violated one or more conditions of pretrial release or bond for the offense currently before the court and the violation, in the discretion of the court, supports a finding that no conditions of release can reasonably protect the community from risk of physical harm to persons or assure the presence of the accused at trial.

(d) When a person charged with a crime for which pretrial detention could be ordered is arrested, the arresting agency shall promptly notify the state attorney of the arrest and shall provide the state attorney with such information as the arresting agency has obtained relative to:

1. The nature and circumstances of the offense charged;
2. The nature of any physical evidence seized and the contents of any statements obtained from the defendant or any witness;
3. The defendant's family ties, residence, employment, financial condition, and mental condition; and
4. The defendant's past conduct and present conduct, including any record of convictions, previous flight to avoid prosecution, or failure to appear at court proceedings.

(e) When a person charged with a crime for which pretrial detention could be ordered is arrested, the arresting agency may detain such defendant, prior to the filing by the state attorney of a motion seeking pretrial detention, for a period not to exceed 24 hours.

(f) The pretrial detention hearing shall be held within 5 days of the filing by the state attorney of a complaint to seek pretrial detention. The defendant may request a continuance. No continuance shall be for longer than 5 days unless there are extenuating circumstances. The defendant may be detained pending the hearing. The state attorney shall be entitled to one continuance for good cause.

(g) The state attorney has the burden of showing the need for pretrial detention.

(h) The defendant is entitled to be represented by counsel, to present witnesses and evidence, and to cross-examine witnesses. The court may admit relevant evidence without complying with the rules of evidence, but evidence secured in violation of the United States Constitution or the Constitution of the State of Florida shall not be admissible. No testimony by the defendant shall be admissible to prove guilt at any other judicial proceeding, but such testimony may be admitted in an action for perjury, based upon the defendant's statements made at the pretrial detention hearing, or for impeachment.

(i) The pretrial detention order of the court shall be based solely upon evidence produced at the hearing and shall contain findings of fact and conclusions of law to support it. The order shall be made either in writing or orally on the record. The court shall render its findings within 24 hours of the pretrial detention hearing.

(j) A defendant convicted at trial following the issuance of a pretrial detention order shall have credited to his or her sentence, if imprisonment is imposed, the time the defendant was held under the order, pursuant to s. 921.161.

(k) The defendant shall be entitled to dissolution of the pretrial detention order whenever the court finds that a subsequent event has eliminated the basis for detention.

And the title is amended as follows:

On page 1, line 4

insert after semicolon: providing for pretrial detention of persons charged with an act of terrorism;

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

On motion by Rep. Goodlette, the rules were waived and HB 103-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 606

Yeas—118

The Chair	Clarke	Heyman	Needelman
Alexander	Crow	Hogan	Negron
Allen	Cusack	Holloway	Paul
Andrews	Davis	Jennings	Peterman
Argenziano	Detert	Johnson	Pickens
Arza	Diaz de la Portilla	Jordan	Prieguez
Attkisson	Diaz-Balart	Joyner	Rich
Atwater	Dockery	Justice	Richardson
Ausley	Evers	Kallinger	Ritter
Baker	Farkas	Kendrick	Romeo
Ball	Fasano	Kilmer	Ross
Barreiro	Fields	Kosmas	Rubio
Baxley	Fiorentino	Kottkamp	Russell
Bean	Flanagan	Kravitz	Ryan
Bendross-Mindingall	Frankel	Kyle	Seiler
Bennett	Gannon	Lacasa	Simmons
Bense	Garcia	Lee	Siplin
Benson	Gardiner	Lerner	Smith
Berfield	Gelber	Littlefield	Sobel
Betancourt	Gibson	Lynn	Sorensen
Bilirakis	Goodlette	Machek	Spratt
Bowen	Gottlieb	Mack	Stansel
Brown	Green	Mahon	Trovillion
Brummer	Greenstein	Mayfield	Wallace
Brutus	Haridopolos	Maygarden	Waters
Bucher	Harper	McGriff	Weissman
Bullard	Harrell	Meadows	Wilson
Byrd	Harrington	Mealor	Wishner
Cantens	Hart	Melvin	
Carassas	Henriquez	Murman	

Nays—1

Wiles

Votes after roll call:

Nays to Yeas—Wiles

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

By Representatives Goodlette, Harrell, Green, Cusack, Gelber, Ball, Macheck, and Bullard—

**HB 105-B**—A bill to be entitled An act relating to sentencing; creating s. 775.31, F.S.; providing for the reclassification of offenses the commission of which facilitated or furthered any act of terrorism; defining the term “terrorism”; amending s. 782.04, F.S.; including any felony that is an act of terrorism or is in furtherance of an act of terrorism as a qualifying offense under the felony murder provisions; creating the crime of felony murder involving any felony that is an act of terrorism or is in furtherance of an act of terrorism; defining the term “terrorism”; providing an effective date.

—was read the first time by title. On motion by Rep. Goodlette, the rules were waived and the bill was read the second time by title.

The Committee on Security, Select offered the following:

(Amendment Bar Code: 025105)

**Amendment 1**—On page 2, between lines 4 & 5, of the bill

insert:

*(d) In the case of a felony of the second degree, the offense is reclassified as a felony of the first degree.*

(Renumber subsequent paragraph)

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

The Committee on Security, Select offered the following:

(Amendment Bar Code: 233533)

**Amendment 2**—On page 2, lines 23-29 and page 6, line 26 through page 7, line 2

remove from the bill: remove all of said lines

and insert in lieu thereof:

*(b) Is intended to:*

1. *Intimidate, injure, or coerce a civilian population;*
2. *Influence the policy of a government by intimidation or coercion;*  
*or*
3. *Affect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.*

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

Representative(s) Cantens and Hart offered the following:

(Amendment Bar Code: 640937)

**Amendment 3**—On page 2, lines 20-22, and on page 6, lines 23-25 remove from the bill: all of said lines

and insert in lieu thereof:

- (a)1. Involves a violent act or an act dangerous to human life which is a violation of the criminal laws of this state or of the United States; or*
- 2. Involves a violation of s. 815.06; and*

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

On motion by Rep. Goodlette, the rules were waived and HB 105-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 607

Yeas—119

The Chair	Clarke	Heyman	Needelman
Alexander	Crow	Hogan	Negron
Allen	Cusack	Holloway	Paul
Andrews	Davis	Jennings	Peterman
Argenziano	Detert	Johnson	Pickens
Arza	Diaz de la Portilla	Jordan	Prieguez
Attkisson	Diaz-Balart	Joyner	Rich
Atwater	Dockery	Justice	Richardson
Ausley	Evers	Kallinger	Ritter
Baker	Farkas	Kendrick	Romeo
Ball	Fasano	Kilmer	Ross
Barreiro	Fields	Kosmas	Rubio
Baxley	Fiorentino	Kottkamp	Russell
Bean	Flanagan	Kravitz	Ryan
Bendross-Mindingall	Frankel	Kyle	Seiler
Bennett	Gannon	Lacasa	Simmons
Bense	Garcia	Lee	Siplin
Benson	Gardiner	Lerner	Smith
Berfield	Gelber	Littlefield	Sobel
Betancourt	Gibson	Lynn	Sorensen
Bilirakis	Goodlette	Macheck	Spratt
Bowen	Gottlieb	Mack	Stansel
Brown	Green	Mahon	Trovillion
Brummer	Greenstein	Mayfield	Wallace
Brutus	Haridopolos	Maygarden	Waters
Bucher	Harper	McGriff	Weissman
Bullard	Harrell	Meadows	Wiles
Byrd	Harrington	Mealor	Wilson
Cantens	Hart	Melvin	Wishner
Carassas	Henriquez	Murman	

Nays—None

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

On motion by Rep. Goodlette, the House agreed to take up HB 109-B for consideration.

By Representatives Goodlette, Harrell, Green, Cusack, Gelber, Ball, Macheck, and Bullard—

**HB 109-B**—A bill to be entitled An act relating to the interception of communications; amending s. 934.07, F.S.; authorizing application by the Department of Law Enforcement of certain communications relevant to offenses that are acts of terrorism or in furtherance of acts of terrorism; amending s. 934.09, F.S.; allowing a judge, in investigations of acts of terrorism, to authorize the continued interception anywhere within the state of wire, oral, or electronic communications under specified conditions; providing for the future expiration of provisions granting such authority; providing effective dates.

—was read the first time by title. On motion by Rep. Goodlette, the rules were waived and the bill was read the second time by title.

The Committee on Security, Select offered the following:

(Amendment Bar Code: 341795)

**Amendment 1 (with title amendment)**—On page 2, line 3, after “kidnapping,”

insert: *aircraft piracy,*

And the title is amended as follows:

On page 1 line 3, after “s. 934.07, F.S.,”

insert: adding aircraft piracy to the list of crimes for which interception of communications may be authorized;

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

The Committee on Security, Select offered the following:

(Amendment Bar Code: 630483)

Amendment 2 (with title amendment)—On page 2, lines 10 and 18 of the bill, after “conspiracy”

insert: or solicitation

And the title is amended as follows:

On page 1, line 3, after “s. 934.07, F.S.,”

insert: adding solicitation to commit certain offenses to the list of crimes for which interception of communications may be authorized;

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

The Committee on Security, Select offered the following:

(Amendment Bar Code: 200251)

Amendment 3—On page 2, lines 24-30, remove from the bill: all of said lines

and insert in lieu thereof:

(b) Is intended to:

- 1. Intimidate, injure, or coerce a civilian population;
2. Influence the policy of a government by intimidation or coercion; or
3. Affect the conduct of government through destruction of property, assassination, murder, kidnapping or aircraft piracy.

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

Representative(s) Cantens and Hart offered the following:

(Amendment Bar Code: 814005)

Amendment 4—On page 2, lines 21-23, remove from the bill: all of said lines

and insert in lieu thereof:

- (a)1. Involves a violent act or an act dangerous to human life which is a violation of the criminal laws of this state or of the United States; or
2. Involves a violation of s. 815.06; and

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

On motion by Rep. Goodlette, the rules were waived and HB 109-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 608

Yeas—119

Table with 4 columns of names: The Chair, Alexander, Allen, Andrews, Argenziano, Arza, Attkisson, Atwater, Ausley, Baker, Ball, Barreiro, Baxley, Bean, Bendross-Mindingall, Bennett, Bense, Benson, Berfield, Betancourt, Bilirakis, Bowen, Brown, Brummer, Brutus, Bucher, Bullard, Byrd, Cantens, Carassas, Clarke, Crow, Cusack, Davis, Detert, Diaz de la Portilla, Diaz-Balart, Dockery, Evers, Farkas.

Table with 4 columns of names: Fasano, Fields, Fiorentino, Flanagan, Frankel, Gannon, Garcia, Gardiner, Gelber, Gibson, Goodlette, Gottlieb, Green, Greenstein, Haridopolos, Harper, Harrell, Harrington, Hart, Henriquez, Heyman, Hogan, Holloway, Jennings, Johnson, Jordan, Joyner, Justice, Kallinger, Kendrick, Kilmer, Kosmas, Kottkamp, Kravitz, Kyle, Lacasa, Lee, Lerner, Littlefield, Lynn, Macheck, Mack, Mahon, Mayfield, Maygarden, McGriff, Meadows, Mealor, Melvin, Murman, Needelman, Negron, Paul, Peterman, Pickens, Prieguez, Rich, Richardson, Ritter, Romeo, Ross, Rubio, Russell, Ryan, Seiler, Simmons, Siplin, Smith, Sobel, Sorensen, Spratt, Stansel, Trovillion, Wallace, Waters, Weissman, Wiles, Wilson, Wishner.

Nays—None

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

On motion by Rep. Goodlette, the House agreed to take up HB 111-B for consideration.

By Representatives Goodlette, Harrell, Green, Cusack, Gelber, Ball, Macheck, and Bullard—

HB 111-B—A bill to be entitled An act relating to domestic security; amending s. 252.311, F.S.; including legislative findings with respect to acts of terrorism and counterterrorism efforts under the State Emergency Management Act; amending s. 252.35, F.S.; providing that the responsibilities and duties of the Division of Emergency Management relating to counterterrorism efforts and responses to acts of terrorism shall be performed under the direction or with the approval of and in coordination with the Department of Law Enforcement and the Chief of Florida Domestic Security Initiatives; amending s. 943.03, F.S.; specifying the duties of the Department of Law Enforcement with regard to counterterrorism efforts, responses to acts of terrorism, and other domestic security matters related to terrorism; creating s. 943.0311, F.S.; providing for a Chief of Florida Domestic Security Initiatives within the department; providing duties; providing for building and facility security assessments; providing for coordination of security proposals; providing for annual recommendations; creating s. 943.0312, F.S.; providing for a Regional Domestic Security Task Force in each of the department’s operational regions; providing for membership; providing goals and objectives; providing for identification of equipment and training needs and for funding recommendations; providing duties with respect to hate-driven acts resulting from acts of terrorism; providing for administrative support; creating s. 943.0321, F.S.; creating a Counterterrorism Intelligence Center within the department and providing its duties; creating the Florida Domestic Security Counterterrorism Database within the department and providing for its contents and use; providing an effective date.

—was read the first time by title. On motion by Rep. Goodlette, the rules were waived and the bill was read the second time by title.

The Committee on Security, Select offered the following:

(Amendment Bar Code: 291769)

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

and insert in lieu thereof:

Section 1. Section 252.311, Florida Statutes, is amended to read: 252.311 Legislative intent.—

(1) The Legislature finds and declares that the state is vulnerable to a wide range of emergencies, including natural, technological, and manmade disasters, including, but not limited to, acts of terrorism within or affecting this state, all of which threaten the life, health, and safety of its people; damage and destroy property; disrupt services and everyday business and recreational activities; and impede economic growth and development. The Legislature further finds that this vulnerability is exacerbated by the tremendous growth in the state's population, especially the growth in the number of persons residing in coastal areas, in the elderly population, in the number of seasonal vacationers, and in the number of persons with special needs. This growth has greatly complicated the state's ability to coordinate its emergency management resources and activities.

(2) It is the intent of the Legislature to reduce the vulnerability of the people and property of this state; to prepare for efficient evacuation and shelter of threatened or affected persons; to provide for the rapid and orderly provision of relief to persons and for the restoration of services and property; and to provide for the coordination of activities relating to emergency preparedness, response, recovery, and mitigation among and between agencies and officials of this state, with similar agencies and officials of other states, with local and federal governments, with interstate organizations, and with the private sector.

(3) *The Legislature finds that with respect to counter-terrorism efforts and initial responses to acts of terrorism within or affecting this state, specialized efforts of emergency management that are unique to such situations are required and that these efforts intrinsically involve very close coordination of federal, state, and local law enforcement agencies with the efforts of all others involved in emergency-response efforts. In order to best provide this specialized effort with respect to counter-terrorism efforts and responses, the Legislature has determined that such efforts should be coordinated by and through the Department of Law Enforcement, working closely with the Division of Emergency Management and others involved in preparation against acts of terrorism in or affecting this state, and in the initial response to such acts.*

(4)(3) It is further the intent of the Legislature to promote the state's emergency preparedness, response, recovery, and mitigation capabilities through enhanced coordination, long-term planning, and adequate funding. State policy for responding to disasters is to support local emergency response efforts. In the case of a major or catastrophic disaster, however, the needs of residents and communities will likely be greater than local resources. In these situations, the state must be capable of providing effective, coordinated, and timely support to communities and the public. Therefore, the Legislature hereby determines and declares that the provisions of this act fulfill an important state interest.

Section 2. Subsection (14) is added to section 943.03, Florida Statutes, to read:

**943.03 Department of Law Enforcement.—**

*(14) The department, with respect to counter-terrorism efforts, responses to acts of terrorism within or affecting this state, and other matters related to the domestic security of Florida as it relates to terrorism, shall coordinate and direct the law enforcement, initial emergency, and other initial responses. The department shall work closely with the Division of Emergency Management, other federal, state, and local law enforcement agencies, fire and rescue agencies, first-responder agencies, and others involved in preparation against acts of terrorism in or affecting this state and in the response to such acts. The executive director of the department, or another member of the department designated by the director, shall serve as Chief of Domestic Security Initiatives for the purpose of directing and coordinating such efforts. The department and Chief of Domestic Security Initiatives shall use the regional domestic security task forces as established in this chapter to assist in such efforts.*

Section 3. Section 943.0311, Florida Statutes, is amended to read:

**943.0311 Chief of Domestic Security Initiatives and the department's duties with respect to domestic security.—***The executive director of the*

*department, or a member of the department designated by the executive director, shall serve as the Chief of Domestic Security Initiatives.*

(1) *The Chief of Domestic Security Initiatives shall:*

*(a) Coordinate the efforts of the department in the ongoing assessment of this state's vulnerability to, and ability to detect and respond to, acts of terrorism, as defined in s. 775.30, within or affecting this state.*

*(b) Prepare recommendations for the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives which are based upon ongoing assessments to limit the vulnerability of the state to terrorism.*

*(c) Coordinate the collection of proposals to limit the vulnerability of the state to terrorism.*

*(d) Use regional task forces to support the duties of the department set forth in this section.*

*(e) Use public or private resources to perform the duties assigned to the department under this section.*

*(f) Perform other duties assigned by law.*

*(2)(a) The chief shall conduct specific security assessments of buildings and facilities owned or leased by state agencies or local governments. All state agencies and local governments shall cooperate with the department and provide requested information and resources to assist the department in meeting its responsibilities under this section.*

*(b) Based upon the security assessments, the chief shall prepare recommendations to enhance the security of buildings and facilities owned or leased by state agencies or local governments.*

*(c) The chief shall report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives recommended minimum security standards or security-enhancement needs for any building or facility owned or leased by a state agency or local government. The report must identify and prioritize the recommended security enhancements and provide recommendations to maximize federal funding in support of building and facility security.*

*(3) The chief shall develop and submit to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives recommended best practices for safety and security. The recommended best practices are not a rule as defined in chapter 120. The chief shall review the recommended best practices as necessary, but at least once each year, and shall submit any recommended changes to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives.*

*(4) The chief may conduct specific security assessments of a building or facility owned by a private entity upon the request of that private entity. The chief may prioritize requests, and such prioritization is not agency action that is subject to review under chapter 120. The chief may solicit private entities for the purpose of receiving requests to perform security assessments of buildings or facilities. Private entities are urged to cooperate with and assist the department in meeting its responsibilities for domestic security.*

*(5) By November 1 of each year, the executive director shall compile, coordinate, and prioritize recommendations and proposals concerning security and shall present the recommendations and proposals to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives. All recommendations seeking funding shall be prioritized, with critical domestic security needs requiring immediate or top-priority funding being clearly identified. Such recommendations shall include recommendations to maximize federal funding in support of the state's domestic-security efforts.*

Section 4. Section 943.0312, Florida Statutes, is created to read:

**943.0312 Regional domestic security task forces.—***The Legislature finds that there is a need to develop and implement a statewide strategy to address preparation and response efforts by federal, state, and local*

law enforcement agencies, emergency management agencies, fire and rescue departments, first-responder personnel, and others in dealing with potential or actual terrorist acts within or affecting this state.

(1) To assist the department and the Chief of Domestic Security Initiatives in performing their roles and duties in this regard, the department shall establish a regional domestic security task force in each of the department's operational regions. The task forces shall serve in an advisory capacity to the department and the Chief of Domestic Security Initiatives.

(a) Subject to annual appropriation, the department shall provide dedicated employees to support the function of each regional domestic security task force.

(b) Each task force shall be co-chaired by the department's regional director of the operational region in which the task force is located and by a local sheriff or chief of police from within the operational region.

(c) Each task force membership may also include an available representative from the Division of Emergency Management; an available representative from the Department of Health; an available representative of a local emergency planning committee; representatives of state and local law enforcement agencies, fire and rescue departments, or first-responder personnel; and other persons as deemed appropriate and necessary by the task force co-chairs.

(2) The goals of each task force shall include coordinating efforts to counter terrorism, as defined by s. 775.30, among local, state, and federal resources to ensure that such efforts are not fragmented or unnecessarily duplicated; coordinating training for local and state personnel to counter terrorism as defined by s. 775.30; coordinating the collection and dissemination of investigative and intelligence information, including promoting the appropriate use of the department's domestic security and counter-terrorism database; and facilitating responses to terrorist incidents within or affecting each region. With the approval of the Chief of Domestic Security Initiatives, the task forces may incorporate other objectives reasonably related to the goals of enhancing the state's domestic security and ability to detect, prevent, and respond to acts of terrorism within or affecting this state. Each task force shall take into account the variety of conditions and resources present within its region.

(3) The Chief of Domestic Security Initiatives, in conjunction with the Division of Emergency Management, the regional domestic security task forces, and the various state entities responsible for establishing training standards applicable to state law enforcement officers and fire, emergency, and first-responder personnel, shall identify appropriate equipment and training needs, curricula, and materials related to the effective response to suspected or actual acts of terrorism or incidents involving real or hoax weapons of mass destruction as defined in s. 790.166. Recommendations for funding for purchases of equipment, delivery of training, implementation of, or revision to basic or continued training required for state licensure or certification, or other related responses shall be made by the Chief of Domestic Security Initiatives to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives as necessary to assure that the needs of this state with regard to the equipping, outfitting, and training of response personnel are identified and addressed. In making such recommendations, the Chief of Domestic Security Initiatives and the Division of Emergency Management shall identify all funding sources that may be available to fund such equipping, outfitting, and training.

(4) Each regional domestic security task force, working in conjunction with the department, the Office of the Attorney General, and other public or private entities, shall work to ensure that hate-driven acts against ethnic groups that may have been targeted as a result of acts of terrorism in or affecting this state are appropriately investigated and responded to.

(5) Members of each regional domestic security task force may not receive any pay other than their salaries normally received from their employers, but are entitled to reimbursement for per diem and travel expenses in accordance with s. 112.061.

(6) Subject to annual appropriation, the Department of Law Enforcement shall provide staff and administrative support for the regional domestic security task forces.

Section 5. Section 775.30, Florida Statutes, is created to read:

775.30 Terrorism; defined.—As used in the criminal code of this state, the term "terrorism" means an activity that:

(1) Involves a violent act or act dangerous to human life which is a violation of the criminal laws of this state or of the United States; and

(2) Appears to be intended to:

(a) Intimidate, injure, or coerce a civilian population;

(b) Influence the policy of a government by intimidation or coercion; or

(c) Affect the conduct of government through destruction of property, assassination, murder, or kidnapping.

Section 6. Section 943.0321, Florida Statutes, is created to read:

943.0321 The Florida Domestic Security and Counter-Terrorism Intelligence Center and the Florida Domestic Security and Counter-Terrorism Database.—

(1)(a) There is created within the Department of Law Enforcement the Florida Domestic Security and Counter-Terrorism Intelligence Center.

(b) The Florida Domestic Security and Counter-Terrorism Database is created within the Florida Domestic Security and Counter-Terrorism Intelligence Center.

(2) The intelligence center shall:

(a) Gather, document, and analyze active criminal intelligence and criminal investigative information related to terrorism, as defined in s. 775.30, including information related to individuals or groups that plot, plan, or coordinate acts of terrorism, as defined in s. 775.30, and that operate within this state or otherwise commit acts affecting this state;

(b) Maintain and operate the domestic security and counter-terrorism database; and

(c) Provide support and assistance to federal, state, and local law enforcement agencies and prosecutors that investigate or prosecute terrorism, as defined in s. 775.30.

(3)(a) The database shall include active criminal intelligence information and active criminal investigative information submitted by federal, state, or local law enforcement agencies and prosecutors and information that is available from other law-enforcement databases.

(b) The database shall be capable of performing data review and processing that may reveal patterns, trends, and correlations indicative of potential or actual terrorism activity within or affecting this state.

(c) The department shall establish methods and parameters by which information and data is transferred to the department for inclusion in the database. Information developed in or through the use of the database shall be made available to federal, state, and local law enforcement agencies and prosecutors in a manner defined by the department and as allowed by state or federal law or rule.

(4)(a) Information that is exempt from public disclosure under chapter 119 when in the possession of the intelligence center retains its exemption from public disclosure after such information is revealed to a federal, state, or local law enforcement agency or prosecutor, except as otherwise provided by law.

(b) Information obtained by the intelligence center from a federal, state, or local law enforcement agency or prosecutor which is exempt from public disclosure under state or federal law when in the possession of a federal, state, or local law enforcement agency or prosecutor retains its exemption from public disclosure after such information is revealed to the intelligence center, except as otherwise provided by law.

Section 7. This act shall take effect upon becoming a law.

And the title is amended as follows:

remove from the title of the bill: the entire title

and insert in lieu thereof: A bill to be entitled An act relating to domestic security; amending s. 252.311, F.S.; providing legislative intent with respect to counter-terrorism efforts and initial responses to acts of terrorism within or affecting this state; amending s. 252.35, F.S.; requiring the Division of Emergency Management within the Department of Community Affairs to coordinate its responsibilities and duties with respect to counter-terrorism with the Department of Law Enforcement and the Chief of Domestic Security Initiatives; amending s. 943.03, F.S.; requiring the Department of Law Enforcement to coordinate and direct the response to acts of terrorism; requiring the executive director of the department to serve as or designate a Chief of Domestic Security Initiatives; creating s. 943.0311, F.S.; specifying duties of the Chief of Domestic Security Initiatives; requiring the chief to conduct security assessments of buildings and facilities owned or leased by state agencies or local governments; requiring that the chief recommend minimum security standards or needs for security enhancement to the Governor and the Legislature; requiring the chief to develop recommended best practices for safety and security; authorizing security assessments of buildings or facilities owned by private entities; requiring the executive director of the department to submit recommendations concerning security to the Governor and the Legislature; creating s. 943.0312, F.S.; requiring the Department of Law Enforcement to establish a regional domestic security task force in each of the department's operational regions; providing for membership of the task forces; providing duties of the task forces with respect to coordinating training and the collection of investigative and intelligence information; requiring the Chief of Domestic Security Initiatives to recommend funding and training requirements to the Governor and the Legislature; requiring the regional task forces to provide for investigating and responding to certain hate crimes; providing for per diem and travel expenses; requiring the department to provide staff and administrative support for the task forces; creating s. 775.30, F.S.; defining the term "terrorism" for use in the criminal code; creating s. 943.0321, F.S.; creating the Florida Domestic Security and Counter-Terrorism Intelligence Center within the Department of Law Enforcement; creating the Florida Domestic Security and Counter-Terrorism Database within the intelligence center; providing functions of the intelligence center with respect to gathering and analyzing active criminal intelligence information and criminal investigative information; requiring the intelligence center to maintain and operate the database; providing requirements for the database; requiring that the Department of Law Enforcement establish methods for providing information from the database to law enforcement agencies and prosecutors; providing that information that is exempt from public disclosure and is released to another agency or prosecutor by the intelligence center retains such exemption; providing that information that is exempt from public disclosure and is obtained by the intelligence center retains such exemption; providing an effective date.

Rep. Goodlette moved the adoption of the amendment.

Representative(s) Cantens and Hart offered the following:

(Amendment Bar Code: 230259)

**Amendment 1 to Amendment 1**—On page 9, lines 14-16, remove from the amendment: all of said lines

and insert in lieu thereof:

(1)(a) *Involves a violent act or an act dangerous to human life which is a violation of the criminal laws of this state or of the United States; or*

(b) *Involves a violation of s. 815.06; and*

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

Representative(s) Goodlette offered the following:

(Amendment Bar Code: 174857)

**Amendment 2 to Amendment 1**—On page 9, lines 17-23, remove from the amendment: remove all of said lines

and insert in lieu thereof:

(2) *Is intended to:*

(a) *Intimidate, injure, or coerce a civilian population;*

(b) *Influence the policy of a government by intimidation or coercion; or*

(c) *Affect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.*

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

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

On motion by Rep. Goodlette, the rules were waived and HB 111-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 609

Yeas—117

The Chair	Crow	Holloway	Paul
Alexander	Cusack	Jennings	Peterman
Allen	Davis	Johnson	Pickens
Andrews	Detert	Jordan	Prieguez
Argenziano	Diaz de la Portilla	Joyner	Rich
Arza	Diaz-Balart	Justice	Richardson
Attkisson	Dockery	Kallinger	Ritter
Atwater	Evers	Kendrick	Romeo
Ausley	Farkas	Kilmer	Ross
Baker	Fasano	Kosmas	Rubio
Ball	Fields	Kottkamp	Russell
Barreiro	Fiorentino	Kravitz	Ryan
Baxley	Flanagan	Kyle	Seiler
Bean	Frankel	Lacasa	Simmons
Bendross-Mindingall	Garcia	Lee	Siplin
Bennett	Gardiner	Lerner	Smith
Bense	Gelber	Littlefield	Sobel
Benson	Gibson	Lynn	Sorensen
Berfield	Goodlette	Machek	Spratt
Betancourt	Gottlieb	Mack	Stansel
Bilirakis	Green	Mahon	Trovillion
Brown	Greenstein	Mayfield	Wallace
Brummer	Haridopolos	Maygarden	Waters
Brutus	Harper	McGriff	Weissman
Bucher	Harrell	Meadows	Wiles
Bullard	Harrington	Mealor	Wilson
Byrd	Hart	Melvin	Wishner
Cantens	Henriquez	Murman	
Carassas	Heyman	Needelman	
Clarke	Hogan	Negron	

Nays—1

Gannon

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

On motion by Rep. Goodlette, the House agreed to take up HB 115-B for consideration.

By Representatives Goodlette, Harrell, Green, Cusack, Gelber, Ball, Machek, and Bullard—

**HB 115-B**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 487.051, F.S.; authorizing the department to adopt rules establishing requirements

governing aircraft used for the aerial application of pesticides and requirements governing the storage and distribution of pesticides; amending s. 570.07, F.S.; conforming provisions; amending s. 576.181, F.S.; authorizing the department to adopt rules establishing requirements governing aircraft used for the aerial application of fertilizers and requirements governing the storage and distribution of fertilizers; amending s. 578.11, F.S.; authorizing the department to adopt rules establishing requirements governing aircraft used for the aerial application of seed; requiring that the department report to the Legislature on the implementation of any rule adopted as authorized by the act; creating s. 119.106, F.S.; requiring a person requesting certain public records to provide personal identification; providing an effective date.

—was read the first time by title. On motion by Rep. Goodlette, the rules were waived and the bill was read the second time by title.

REPRESENTATIVE BALL IN THE CHAIR

The Committee on Security, Select offered the following:

(Amendment Bar Code: 943705)

**Amendment 1 (with title amendment)**—On page 4, lines 9-18, remove from the bill: all of said lines

And the title is amended as follows:

On page 1, lines 21-24  
remove from the title of the bill: all of said lines

and insert in lieu thereof: rule adopted as authorized by the act; providing an effective date.

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

The Committee on Security, Select offered the following:

(Amendment Bar Code: 950275)

**Amendment 2 (with title amendment)**—On page 4, between lines 8 & 9 of the bill

insert:

Section 6. The Office of Program Policy Analysis and Government Accountability is directed to review the cost impact to the aerial application industry of the implementation of any rules adopted by the Department of Agriculture and Consumer Services pursuant to this act and report its findings to the President of the Senate and the Speaker of the House of Representatives by January 1, 2003.

And the title is amended as follows:

On page 1, line 21,

after the semicolon, insert: directing the review of the cost impact of aerial application of pesticides;

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

The Committee on Security, Select offered the following:

(Amendment Bar Code: 721729)

**Amendment 3**—On page 3, lines 5-8, remove from the bill: all of said lines

and insert in lieu thereof:

(40) *To adopt by rules, requirements governing the aerial applicator's secure storage of pesticides and fertilizers. Except as provided in chapters 373, 376, and 403, the regulation of the commercial storage of and distribution of*

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

On motion by Rep. Goodlette, the rules were waived and HB 115-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 610

Yeas—116

The Chair	Clarke	Henriquez	Murman
Alexander	Crow	Heyman	Needelman
Allen	Cusack	Hogan	Paul
Andrews	Davis	Holloway	Peterman
Argenziano	Detert	Jennings	Pickens
Arza	Diaz de la Portilla	Johnson	Prieguez
Attkisson	Diaz-Balart	Jordan	Rich
Atwater	Dockery	Joyner	Richardson
Ausley	Evers	Justice	Ritter
Baker	Farkas	Kallinger	Romeo
Barreiro	Fasano	Kendrick	Ross
Baxley	Feeney	Kilmer	Rubio
Bean	Fields	Kosmas	Russell
Bendross-Mindingall	Fiorentino	Kottkamp	Ryan
Bennett	Flanagan	Kravitz	Seiler
Bense	Frankel	Kyle	Simmons
Benson	Gannon	Lacasa	Siplin
Berfield	Garcia	Lee	Smith
Betancourt	Gelber	Lerner	Sobel
Bilirakis	Gibson	Littlefield	Sorensen
Bowen	Goodlette	Lynn	Spratt
Brown	Gottlieb	Machek	Stansel
Brummer	Green	Mack	Trovillion
Brutus	Greenstein	Mayfield	Wallace
Bucher	Haridopolos	Maygarden	Waters
Bullard	Harper	McGriff	Weissman
Byrd	Harrell	Meadows	Wiles
Cantens	Harrington	Mealor	Wilson
Carassas	Hart	Melvin	Wishner

Nays—None

Votes after roll call:

Yeas—Gardiner, Mahon, Negron

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

On motion by Rep. Goodlette, the House agreed to take up HB 117-B for consideration.

By Representatives Goodlette, Harrell, Green, Cusack, Gelber, Ball, Machek, and Bullard—

**HB 117-B**—A bill to be entitled An act relating to poisoning; amending s. 859.01, F.S.; prohibiting the introduction of bacteria, viruses, or chemical compounds into food, drink, medicine, or water systems under certain circumstances; providing penalties; amending s. 921.0022, F.S., to conform to changes made by the act; providing an effective date.

—was read the first time by title. On motion by Rep. Goodlette, the rules were waived and the bill was read the second time by title.

The Committee on Security, Select offered the following:

(Amendment Bar Code: 954751)

**Amendment 1**—On page 1, line 17, remove from the bill: or medicine

and insert in lieu thereof: ~~or~~, medicine or any product designed to be ingested, consumed, or applied to the body

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

On motion by Rep. Goodlette, the rules were waived and HB 117-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 611

Yeas—118

The Chair	Cusack	Hogan	Negron
Alexander	Davis	Holloway	
Allen	Detert	Jennings	Peterman
Andrews	Diaz de la Portilla	Johnson	Pickens
Argenziano	Diaz-Balart	Jordan	Prieguez
Arza	Dockery	Joyner	Rich
Attkisson	Evers	Justice	Richardson
Atwater	Farkas	Kallinger	Ritter
Ausley	Fasano	Kendrick	Romeo
Baker	Feeney	Kilmer	Ross
Baxley	Fields	Kosmas	Rubio
Bean	Fiorentino	Kottkamp	Russell
Bendross-Mindingall	Flanagan	Kravitz	Ryan
Bennett	Frankel	Kyle	Seiler
Bense	Gannon	Lacasa	Simmons
Benson	Garcia	Lee	Siplin
Berfield	Gardiner	Lerner	Smith
Betancourt	Gelber	Littlefield	Sobel
Bilirakis	Gibson	Lynn	Sorensen
Bowen	Goodlette	Machek	Spratt
Brown	Gottlieb	Mack	Stansel
Brummer	Green	Mahon	Trovillion
Brutus	Greenstein	Mayfield	Wallace
Bucher	Haridopolos	Maygarden	Waters
Bullard	Harper	McGriff	Weissman
Byrd	Harrell	Meadows	Wiles
Cantens	Harrington	Mealor	Wilson
Carassas	Hart	Melvin	Wishner
Clarke	Henriquez	Murman	
Crow	Heyman	Needelman	

Nays—None

Votes after roll call:

Yeas—Barreiro

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

On motion by Rep. Goodlette, the House agreed to take up HB 119-B for consideration.

By Representatives Goodlette, Harrell, Green, Cusack, Gelber, Ball, Machek, and Bullard—

**HB 119-B**—A bill to be entitled An act relating to domestic security; providing an appropriation for the construction of a biocontaminant laboratory and the upgrading of associated biosafety measures; providing an effective date.

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

Session Vote Sequence: 612

Yeas—119

The Chair	Bean	Bucher	Dockery
Alexander	Bendross-Mindingall	Bullard	Evers
Allen	Bennett	Byrd	Farkas
Andrews	Bense	Cantens	Fasano
Argenziano	Benson	Carassas	Feeney
Arza	Berfield	Clarke	Fields
Attkisson	Betancourt	Crow	Fiorentino
Atwater	Bilirakis	Cusack	Flanagan
Ausley	Bowen	Davis	Frankel
Baker	Brown	Detert	Gannon
Barreiro	Brummer	Diaz de la Portilla	Garcia
Baxley	Brutus	Diaz-Balart	Gardiner

Gelber	Joyner	Maygarden	Russell
Gibson	Justice	McGriff	Ryan
Goodlette	Kallinger	Meadows	Seiler
Gottlieb	Kendrick	Mealor	Simmons
Green	Kilmer	Melvin	Siplin
Greenstein	Kosmas	Murman	Smith
Haridopolos	Kottkamp	Needelman	Sobel
Harper	Kravitz	Negron	Sorensen
Harrell	Kyle	Paul	Spratt
Harrington	Lacasa	Peterman	Stansel
Hart	Lee	Pickens	Trovillion
Henriquez	Lerner	Prieguez	Wallace
Heyman	Littlefield	Rich	Waters
Hogan	Lynn	Richardson	Weissman
Holloway	Machek	Ritter	Wiles
Jennings	Mack	Romeo	Wilson
Johnson	Mahon	Ross	Wishner
Jordan	Mayfield	Rubio	

Nays—None

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

On motion by Rep. Gelber, the House agreed to take up HB 121-B for consideration.

By Representatives Gelber, Harrell, Green, Ball, and Cusack—

**HB 121-B**—A bill to be entitled An act relating to public records; creating s. 395.1056, F.S.; providing an exemption from public records requirements for those portions of a comprehensive emergency management plan which address the response of a public or private hospital to an act of terrorism and which are filed with the Agency for Health Care Administration, a state or local law enforcement agency, a county emergency management agency, the Executive Office of the Governor, the Department of Health, or the Department of Community Affairs; providing an exemption from public records requirements for those portions of a comprehensive emergency management plan which address the response of a public hospital to an act of terrorism and which are in the custody of that public hospital; providing a statement of public necessity; providing a contingent effective date.

—was read the first time by title. On motion by Rep. Gelber, the rules were waived and the bill was read the second time by title.

The Committee on Security, Select offered the following:

(Amendment Bar Code: 753931)

**Amendment 1 (with title amendment)**—

Remove from the bill: Everything after the enacting clause

and insert in lieu thereof:

Section 1. Section 395.1056, Florida Statutes, is created to read:

*395.1056 Plan components addressing hospital's response to terrorism; public records exemption; public meetings exemption.—*

*(1) Those portions of a comprehensive emergency management plan which address the response of a public or private hospital to an act of terrorism, as defined by s. 775.30, and which are filed with or in the possession of the agency, a state or local law enforcement agency, a county or municipal emergency management agency, the Executive Office of the Governor, the Department of Health, or the Department of Community Affairs are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Portions of a comprehensive emergency management plan which address the response of a public or private hospital to an act of terrorism include those portions addressing security systems or plans; vulnerability analyses; emergency evacuation transportation; sheltering arrangements; post-disaster activities, including provisions for emergency power, communications, food, and water; post-disaster transportation; supplies, including drug caches; staffing; emergency equipment; and individual identification of residents, transfer of records, and methods of responding to family*

*inquiries. This subsection is subject to the Open Government Sunset Review Act of 1995, in accordance with s. 119.15, and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.*

*(2) Those portions of a comprehensive emergency management plan which address the response of a public hospital to an act of terrorism, as defined by s. 775.30, and which are held by that public hospital are exempt from the requirements of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Portions of a comprehensive emergency management plan which address the response of a public hospital to an act of terrorism include those portions addressing security systems or plans; vulnerability analyses; emergency evacuation transportation; sheltering arrangements; post-disaster activities, including provisions for emergency power, communications, food, and water; post-disaster transportation; supplies, including drug caches; staffing; emergency equipment; and individual identification of residents, transfer of records, and methods of responding to family inquiries. This subsection is subject to the Open Government Sunset Review Act of 1995, in accordance with s. 119.15, and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.*

*(3) Any portion of a public meeting which would reveal information contained in a comprehensive emergency management plan that addresses the response of a hospital to an act of terrorism is exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Constitution. This subsection is subject to the Open Government Sunset Review Act of 1995, in accordance with s. 119.15, and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.*

*(4) The certification by the Governor, in coordination with the Department of Health, of the sufficiency of a comprehensive emergency management plan that addresses the response of a hospital to an act of terrorism is a public record.*

Section 2. *The Legislature finds that the exemption from public records and public meeting requirements provided by this act is a public necessity because those portions of a comprehensive emergency management plan which address the response of a public or private hospital to an act of terrorism are vital plan components that affect the health and safety of the public. If security systems or plans; vulnerability analyses; emergency evacuation transportation; sheltering arrangements; post-disaster activities, including provisions for emergency power, communications, food, and water; post-disaster transportation; supplies, including drug caches; staffing; emergency equipment; and individual identification of residents, transfer of records, and methods of responding to family inquiries were made publicly available for inspection or copying, they could be used to hamper or disable the response of a hospital to a terrorist attack. If a hospital's response to an act of terrorism were hampered or disabled, an increase in the number of Floridians subjected to fatal injury would occur. While some skill would be required to use knowledge of plan components to disable a hospital's response to an act of terrorism, there is ample existing evidence of the capabilities of terrorists to plot, plan, and coordinate complicated acts of terror. The hijacking and crashing of planes, the destruction of the World Trade Center, and the attack on the Pentagon on September 11, 2001, as well as the continued and purposeful spread of anthrax in Washington, D.C., other states, and communities within this state, which has resulted in the death of at least one Floridian, provide evidence of such skill. The aftermath of these events has also showed the importance of viable plans by which hospitals can respond to acts of terror. As a result, the Legislature finds that those portions of a comprehensive emergency management plan which address the response of a public or private hospital to an act of terrorism and which are filed with the Agency for Health Care Administration, a state or local law enforcement agency, a local emergency management agency, the Executive Office of the Governor, the Department of Health, or the Department of Community Affairs must be confidential and exempt and that the emergency management plans of a public hospital which are held by that hospital must also be exempt.*

Section 3. This act shall take effect on the same date that HB 103-B or similar legislation defining "terrorism" for purposes of the Florida

Criminal Code takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

And the title is amended as follows:  
remove from the title of the bill: the entire title

and insert in lieu thereof: A bill to be entitled An act relating to public records; creating s. 395.1056, F.S.; providing an exemption from public records requirements for those portions of a comprehensive emergency management plan which address the response of a public or private hospital to an act of terrorism and which are filed with the Agency for Health Care Administration, a state or local law enforcement agency, a county emergency management agency, the Executive Office of the Governor, the Department of Health, or the Department of Community Affairs; providing an exemption from public records requirements for those portions of a comprehensive emergency management plan which address the response of a public hospital to an act of terrorism and which are in the custody of that public hospital; providing an exemption from public meeting requirements for any portion of a public meeting which would reveal information contained in a comprehensive emergency management plan that addresses the response of a hospital to an act or terrorism; providing that certification by the Governor of a comprehensive emergency management plan that addresses the response of a hospital to an act of terrorism is a public record; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

On motion by Rep. Gelber, the rules were waived and HB 121-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 613

Yeas—118

The Chair	Cusack	Hogan	Negron
Alexander	Davis	Holloway	Paul
Allen	Detert	Jennings	Peterman
Andrews	Diaz de la Portilla	Johnson	Pickens
Argenziano	Diaz-Balart	Jordan	Prieguez
Arza	Dockery	Joyner	Rich
Attkisson	Evers	Justice	Richardson
Atwater	Farkas	Kallinger	Ritter
Ausley	Fasano	Kendrick	Romeo
Baker	Feeney	Kilmer	Ross
Barreiro	Fields	Kosmas	Rubio
Baxley	Fiorentino	Kottkamp	Russell
Bean	Flanagan	Kravitz	Ryan
Bendross-Mindingall	Frankel	Kyle	Seiler
Bennett	Gannon	Lacasa	Simmons
Bense	Garcia	Lee	Siplin
Benson	Gardiner	Lerner	Smith
Berfield	Gelber	Littlefield	Sobel
Betancourt	Gibson	Lynn	Sorensen
Bilirakis	Goodlette	Machek	Spratt
Bowen	Gottlieb	Mack	Stansel
Brown	Green	Mahon	Trovillion
Brummer	Greenstein	Mayfield	Wallace
Brutus	Haridopolos	Maygarden	Waters
Bucher	Harper	McGriff	Weissman
Bullard	Harrell	Meadows	Wiles
Byrd	Harrington	Mealor	Wilson
Cantens	Hart	Melvin	Wishner
Clarke	Henriquez	Murman	
Crow	Heyman	Needelman	

Nays—None

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

On motion by Rep. Gelber, the House agreed to take up HB 123-B for consideration.

By Representatives Gelber, Harrell, Green, Ball, Bullard, and Cusack—

**HB 123-B**—A bill to be entitled An act relating to public records; providing that information concerning the amount or type of pharmaceuticals or the location of pharmaceutical depositories maintained or directed by a state agency in response to an act of terrorism is exempt from public records requirements; providing a statement of public necessity; providing an effective date.

—was read the first time by title. On motion by Rep. Gelber, the rules were waived and the bill was read the second time by title.

The Committee on Security, Select offered the following:

(Amendment Bar Code: 950807)

**Amendment 1 (with title amendment)**—

Remove from the bill: Everything after the enacting clause

and insert in lieu thereof:

Section 1. *Information concerning the type or amount of pharmaceutical materials or the location of any pharmaceutical depository maintained or directed by a state agency as a response to an act of terrorism, as defined by s. 775.30, Florida Statutes, is exempt from the requirements of s. 119.07(1), Florida Statutes, and s. 24(a), Art. I of the State Constitution. The certification of the sufficiency of the type or amount of such pharmaceutical materials or the security of the location of such pharmaceutical depository is a public record. This section is subject to the Open Government Sunset Review Act of 1995, in accordance with s. 119.15, Florida Statutes, and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.*

Section 2. *The Legislature finds that the exemption from public records requirements provided by this act is a public necessity because information concerning the type or amount of pharmaceutical materials or the location of any pharmaceutical depository that is maintained or directed by a state agency as a response to an act of terrorism is information that could be used by terrorists in planning acts of terrorism. If terrorists were able to determine what types of pharmaceutical materials are stored or maintained for response to terrorism, or the amount of pharmaceutical materials stored, they could use this information to craft a terrorist act to which the state may not be as well prepared to respond. This information could be used to increase the number of people injured or killed in a terrorist act. Although some skill would be required to use such information to further an act of terrorism, ample evidence of the capabilities of terrorists to conduct complicated acts of terrorism exists. The September 11, 2001, attack on the World Trade Center and the Pentagon, as well as the intentional spread of anthrax in this country and state, which resulted in the death of one Floridian, provide evidence that such capabilities exist. These events also have shown the importance of maintaining appropriate pharmaceutical materials to respond to acts of terrorism and the need to ensure that the locations of pharmaceutical depositories are protected. Consequently, the Legislature finds that information concerning the type or amount of pharmaceutical materials or the location of any pharmaceutical depository that is maintained or directed by a state agency as a response to an act of terrorism must be kept exempt.*

Section 3. This act shall take effect on the same date that HB 103-B or similar legislation defining “terrorism” for purposes of the Florida Criminal Code takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

And the title is amended as follows:

remove from the title of the bill: the entire title

and insert in lieu thereof: A bill to be entitled An act relating to public records; providing that information concerning the amount or type of pharmaceutical materials or the location of pharmaceutical depositories maintained or directed by a state agency as a response to an act of terrorism is exempt from public records requirements; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

On motion by Rep. Gelber, the rules were waived and HB 123-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 614

Yeas—118

The Chair	Cusack	Hogan	Negron
Alexander	Davis	Holloway	Paul
Allen	Detert	Jennings	Peterman
Andrews	Diaz de la Portilla	Johnson	Pickens
Argenziano	Diaz-Balart	Jordan	Prieguez
Arza	Dockery	Joyner	Rich
Attkisson	Evers	Justice	Richardson
Atwater	Farkas	Kallinger	Ritter
Ausley	Fasano	Kendrick	Romeo
Baker	Feeney	Kilmer	Ross
Barreiro	Fields	Kosmas	Rubio
Baxley	Florentino	Kottkamp	Russell
Bean	Flanagan	Kravitz	Ryan
Bendross-Mindingall	Frankel	Kyle	Seiler
Bennett	Gannon	Lacasa	Simmons
Bense	Garcia	Lee	Siplin
Benson	Gardiner	Lerner	Smith
Berfield	Gelber	Littlefield	Sobel
Betancourt	Gibson	Lynn	Sorensen
Bilirakis	Goodlette	Machek	Spratt
Bowen	Gottlieb	Mack	Stansel
Brown	Green	Mahon	Trovillion
Brummer	Greenstein	Mayfield	Wallace
Brutus	Haridopolos	Maygarden	Waters
Bucher	Harper	McGriff	Weissman
Bullard	Harrell	Meadows	Wiles
Byrd	Harrington	Mealor	Wilson
Cantens	Hart	Melvin	Wishner
Clarke	Henriquez	Murman	
Crow	Heyman	Needelman	

Nays—1

Carassas

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

On motion by Rep. Gelber, the House agreed to take up HB 125-B for consideration.

By Representatives Gelber, Harrell, Green, Ball, Bullard, and Cusack—

**HB 125-B**—A bill to be entitled An act relating to public records and meetings; amending s. 281.301, F.S.; expanding an exemption from public records requirements for security system plans or portions thereof for any property owned by or leased to the state or any of its political subdivisions, or any privately owned or leased property, that are in the possession of state agencies; expanding an exemption from public meeting requirements for meetings at which such plans are discussed; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

—was read the first time by title. On motion by Rep. Gelber, the rules were waived and the bill was read the second time by title.

The Committee on Security, Select offered the following:

(Amendment Bar Code: 260071)

**Amendment 1 (with title amendment)**—

Remove from the bill: Everything after the enacting clause

and insert in lieu thereof:

Section 1. Section 119.071, Florida Statutes, is created to read:

*119.071 Security system plans; records and meetings exempt from public access or disclosure.—A security system plan or portion thereof for any property owned by or leased to the state or any of its political subdivisions, or any privately owned or leased property, which plan or portion thereof is in the possession of any agency, as defined in s. 119.011(2), is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Those portions of any meeting which would reveal a security system plan or portion thereof made confidential and exempt by this section are exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Constitution. A security system plan includes all records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to or revealing security systems; threat assessments conducted by any agency as defined in s. 119.011(2) or any private entity; threat-response plans; emergency evacuation plans; sheltering arrangements; or manuals for security personnel, emergency equipment, or security training. This section is subject to the Open Government Sunset Review Act of 1995, in accordance with s. 119.15, and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.*

Section 2. *The Legislature finds that the exemption from public records and public meetings requirements provided by this act is a public necessity because security system plans are a vital component of public safety. Security system plans contain components that address safety issues for public and private property on which public business is conducted and address the security of private property on which a large segment of the public relies. The public relies on radio and television towers, telephone and cable lines, power plants and grids, oil and gas pipelines, and many types of privately owned infrastructure to provide necessary services. To coordinate the response of the public sector and the private sector in an emergency, such as an act of terrorism, public agencies must be able to review security system plans for public and private property. If the information in security system plans is available for inspection and copying, terrorists could use this information to hamper or disable emergency response preparedness, increasing injuries and fatalities. Although some skill would be required to use such information to further an act of terrorism, ample evidence of the capabilities of terrorists to conduct complicated acts of terrorism exists. The September 11, 2001, attack on the World Trade Center and the Pentagon, as well as the intentional spread of anthrax in this country and state, which resulted in the death of one Floridian, provide evidence that such capabilities exist. These events also have shown the importance of a coordinated response to acts of terrorism and the need for the review of public and private security system plans. Consequently, the Legislature finds that security system plans and meetings related thereto must be kept confidential.*

Section 3. This act shall take effect upon becoming a law.

And the title is amended as follows:

remove from the title of the bill: the entire title

and insert in lieu thereof: A bill to be entitled An act relating to public records and meetings; creating s. 119.071, F.S.; providing an exemption from public records requirements for a security system plan or portion thereof for any property owned by or leased to the state or any of its political subdivisions, or any privately owned or leased property, that is in the possession of a state agency; providing an exemption from public meeting requirements for those portions of any meeting which would reveal a security system plan or portion thereof made confidential and exempt under the act; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

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

On motion by Rep. Gelber, the rules were waived and HB 125-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 615

Yeas—116

The Chair	Crow	Heyman	Murman
Alexander	Cusack	Hogan	Needelman
Allen	Davis	Holloway	Negron
Andrews	Detert	Jennings	Paul
Argenziano	Diaz de la Portilla	Johnson	Peterman
Arza	Diaz-Balart	Jordan	Pickens
Attkisson	Dockery	Joyner	Prieguez
Atwater	Evers	Justice	Justice
Ausley	Farkas	Kallinger	Richardson
Baker	Fasano	Kendrick	Ritter
Barreiro	Fields	Kilmer	Romeo
Baxley	Fiorentino	Kosmas	Ross
Bean	Flanagan	Kottkamp	Rubio
Bendross-Mindingall	Frankel	Kravitz	Russell
Bennett	Gannon	Kyle	Ryan
Bense	Garcia	Lacasa	Seiler
Benson	Gardiner	Lee	Simmons
Berfield	Gelber	Lerner	Siplin
Betancourt	Gibson	Littlefield	Smith
Bilirakis	Goodlette	Lynn	Sorensen
Bowen	Gottlieb	Machek	Spratt
Brown	Green	Mack	Stansel
Brummer	Greenstein	Mahon	Trovillion
Brutus	Haridopolos	Mayfield	Wallace
Bucher	Harper	Maygarden	Waters
Bullard	Harrell	McGriff	Weissman
Byrd	Harrington	Meadows	Wiles
Cantens	Hart	Mealor	Wilson
Clarke	Henriquez	Melvin	Wishner

Nays—1

Carassas

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

On motion by Rep. Gelber, the House agreed to take up HB 133-B for consideration.

By Representatives Gelber, Harrell, Green, Ball, and Bullard—

**HB 133-B**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; creating an exemption from public records requirements; providing that a request by a law enforcement agency from another agency for information from a public entity is exempt; providing that the response of a public entity to a law enforcement agency for information is exempt; providing a statement of public necessity; providing an effective date.

—was read the first time by title. On motion by Rep. Gelber, the rules were waived and the bill was read the second time by title.

The Committee on Security, Select offered the following:

(Amendment Bar Code: 094723)

**Amendment 1 (with title amendment)**—

Remove from the bill: Everything after the enacting clause

and insert in lieu thereof:

Section 1. Paragraph (b) of subsection (3) of section 119.07, Florida Statutes, is amended to read:

119.07 Inspection, examination, and duplication of records; exemptions.—

(3)

(b)1. Active criminal intelligence information and active criminal investigative information are exempt from the provisions of subsection (1) and s. 24(a), Art. I of the State Constitution.

2. A request by a law enforcement agency to inspect or copy a public record held by another agency, the custodial agency's response to such request, and any information that would identify the public record that was requested by the law enforcement agency or provided by the custodial agency are exempt from the provisions of subsection (1) and s. 24(a), Art. I of the State Constitution, during the period in which the information contained in the public record constitutes active criminal intelligence information or active criminal investigative information. The law enforcement agency shall give written notice to the custodial agency when the criminal intelligence information or criminal investigative information is no longer active, thereby making the agency's response to the request and information that would identify the public record requested available to the public. This subparagraph is subject to the Open Government Sunset Review Act of 1995, in accordance with s. 119.15, and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that the exemption from public records requirements which is provided by this act is a public necessity because criminal investigations are jeopardized when a law enforcement agency requests to inspect or copy a public record, the custodial agency's response to such a request, or other information that would identify the records requested are available to the public. Persons who obtain such information may inadvertently or purposefully make the subjects of such investigations aware that an investigation is active. If the subjects of an investigation discover that the criminal activity in which they are engaged is being investigated, the perpetrators of that activity may flee, destroy evidence, evade prosecution, or accelerate the timetable for the performance of that criminal activity. Therefore, the Legislature finds that a request by a law enforcement agency to inspect or copy public records that are in the custody of another agency, as well as the custodial agency's response to such a request, and any information that would identify the specific records requested by a law enforcement agency must be exempt during the period in which the information constitutes active criminal intelligence information or active criminal investigative information.

Section 3. This act shall take effect upon becoming a law.

And the title is amended as follows:

remove from the title of the bill: the entire title

and insert in lieu thereof: A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from public records requirements for a request by a law enforcement agency to inspect or copy a public record held by another agency, the custodial agency's response to such request, and any information that would identify the requested public record, during the period in which the information contained in the public record constitutes active criminal intelligence information or active criminal investigative information; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

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

On motion by Rep. Gelber, the rules were waived and HB 133-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 616

Yeas—116

The Chair	Baxley	Brummer	Diaz de la Portilla
Alexander	Bean	Brutus	Diaz-Balart
Allen	Bendross-Mindingall	Bucher	Dockery
Andrews	Bennett	Bullard	Farkas
Argenziano	Bense	Byrd	Fasano
Arza	Benson	Cantens	Fields
Attkisson	Berfield	Clarke	Fiorentino
Atwater	Betancourt	Crow	Flanagan
Ausley	Bilirakis	Cusack	Frankel
Baker	Bowen	Davis	Frankel
Barreiro	Brown	Detert	Garcia

Gardiner	Jordan	Mayfield	Rubio
Gelber	Joyner	Maygarden	Russell
Gibson	Justice	McGriff	Ryan
Goodlette	Kallinger	Meadows	Seiler
Gottlieb	Kendrick	Mealor	Simmons
Green	Kilmer	Melvin	Siplin
Greenstein	Kosmas	Murman	Smith
Haridopolos	Kottkamp	Needelman	Sobel
Harper	Kravitz	Negron	Sorensen
Harrell	Kyle	Paul	Spratt
Harrington	Lacasa	Peterman	Stansel
Hart	Lee	Pickens	Trovillion
Henriquez	Lerner	Prieguez	Wallace
Heyman	Littlefield	Rich	Waters
Hogan	Lynn	Richardson	Weissman
Holloway	Machek	Ritter	Wiles
Jennings	Mack	Romeo	Wilson
Johnson	Mahon	Ross	Wishner

Nays—2

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

THE SPEAKER IN THE CHAIR

Rep. Baxley moved that **HB 137-B** be admitted for introduction, the Speaker having ruled the measure was outside the purview of the Call.

The motion was not agreed to by the required constitutional two-thirds vote and **HB 137-B** was not admitted for introduction. The vote was:

Session Vote Sequence: 617

Yeas—71

The Chair	Brown	Green	Mealor
Alexander	Brummer	Haridopolos	Melvin
Allen	Byrd	Harrell	Murman
Andrews	Cantens	Harrington	Needelman
Arza	Carassas	Hart	Negron
Attkisson	Clarke	Hogan	Paul
Atwater	Crow	Jordan	Pickens
Baker	Davis	Kallinger	Prieguez
Ball	Diaz de la Portilla	Kilmer	Ross
Barreiro	Diaz-Balart	Kottkamp	Rubio
Baxley	Dockery	Kyle	Russell
Bean	Evers	Lacasa	Simmons
Bennett	Farkas	Littlefield	Sorensen
Bense	Fasano	Lynn	Spratt
Benson	Fiorentino	Mack	Trovillion
Berfield	Flanagan	Mahon	Wallace
Bilirakis	Gardiner	Mayfield	Waters
Bowen	Gibson	Maygarden	

Nays—44

Ausley	Gelber	Kendrick	Romeo
Bendross-Mindingall	Goodlette	Kosmas	Ryan
Betancourt	Gottlieb	Lee	Seiler
Brutus	Greenstein	Lerner	Siplin
Bucher	Harper	Machek	Smith
Bullard	Henriquez	McGriff	Sobel
Cusack	Heyman	Meadows	Stansel
Detert	Holloway	Peterman	Weissman
Fields	Jennings	Rich	Wiles
Frankel	Joyner	Richardson	Wilson
Gannon	Justice	Ritter	Wishner

By Representative Wallace—

**HB 141-B**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; providing a short title; specifying a period

during which the tax on the sales price of an item of tangible personal property sold at retail does not apply to an item valued at less than \$100; providing an appropriation; providing an effective date.

—was read the first time by title.

Rep. Wallace moved the rules be waived and the bill be read the second time by title, which was not agreed to.

Subsequently, HB 141-B was referred to the Committee(s) on Fiscal Policy & Resources.

On motion by Rep. Lacasa, the House moved to the order of—

**Messages from the Senate**

*The Honorable Tom Feeney, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for SB 4-B and requests the concurrence of the House.

*Faye W. Blanton, Secretary*

By the Committee on Appropriations and Senator Carlton—

**CS for SB 4-B**—A bill to be entitled An act implementing the 2001-2002 supplemental appropriations act; amending s. 216.023, F.S.; providing directives for executive agencies and the judicial branch in adjusting performance measures and standards to respond to budgetary modifications; providing a directive to the Department of Juvenile Justice; amending s. 339.135, F.S.; requiring adjustment of the adopted work program of the Department of Transportation to include certain economic stimulus projects; limiting the use of funds for state-employee travel; providing an expiration date and an effective date.

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

Session Vote Sequence: 618

Yeas—78

The Chair	Byrd	Haridopolos	Mealor
Alexander	Cantens	Harrell	Melvin
Allen	Carassas	Harrington	Murman
Andrews	Clarke	Hart	Needelman
Argenziano	Crow	Hogan	Negron
Arza	Davis	Johnson	Paul
Attkisson	Detert	Jordan	Pickens
Atwater	Diaz de la Portilla	Kallinger	Prieguez
Baker	Diaz-Balart	Kendrick	Ross
Ball	Dockery	Kilmer	Rubio
Barreiro	Evers	Kottkamp	Russell
Baxley	Farkas	Kravitz	Simmons
Bean	Fasano	Kyle	Sorensen
Bense	Fiorentino	Lacasa	Spratt
Benson	Flanagan	Littlefield	Stansel
Berfield	Garcia	Lynn	Trovillion
Bilirakis	Gardiner	Mack	Wallace
Bowen	Gibson	Mahon	Waters
Brown	Goodlette	Mayfield	
Brummer	Green	Maygarden	

Nays—40

Ausley	Gelber	Kosmas	Romeo
Bendross-Mindingall	Gottlieb	Lee	Ryan
Betancourt	Greenstein	Lerner	Seiler
Brutus	Harper	Machek	Siplin
Bucher	Henriquez	McGriff	Smith
Bullard	Heyman	Meadows	Sobel
Cusack	Holloway	Peterman	Weissman
Fields	Jennings	Rich	Wiles
Frankel	Joyner	Richardson	Wilson
Gannon	Justice	Ritter	Wishner

Votes after roll call:

Yeas—Bennett

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

*The Honorable Tom Feeney, Speaker*

I am directed to inform the House of Representatives that the Senate has admitted for introduction and consideration by the required constitutional two-thirds vote and passed SB 6-B by the required constitutional three-fifths vote and requests the concurrence of the House.

*Faye W. Blanton, Secretary*

By Senator Clary—

**SB 6-B**—A bill to be entitled An act relating to the General Inspection Trust Fund; amending ss. 496.405, 496.409, 496.410, 496.419, F.S.; eliminating restrictions on the use of funds deposited into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services; providing an effective date.

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

Session Vote Sequence: 619

Yeas—118

The Chair	Clarke	Heyman	Negron
Alexander	Crow	Holloway	Paul
Allen	Cusack	Jennings	Peterman
Andrews	Davis	Johnson	Pickens
Argenziano	Detert	Jordan	Prieguez
Arza	Diaz de la Portilla	Joyner	Rich
Attkisson	Diaz-Balart	Justice	Richardson
Atwater	Dockery	Kallinger	Ritter
Ausley	Evers	Kendrick	Romeo
Baker	Farkas	Kilmer	Ross
Ball	Fasano	Kosmas	Rubio
Barreiro	Fields	Kottkamp	Russell
Baxley	Fiorentino	Kravitz	Ryan
Bean	Flanagan	Kyle	Seiler
Bendross-Mindingall	Frankel	Lacasa	Simmons
Bennett	Gannon	Lee	Siplin
Bense	Garcia	Lerner	Smith
Benson	Gardiner	Littlefield	Sobel
Berfield	Gelber	Lynn	Sorensen
Betancourt	Gibson	Machek	Spratt
Bilirakis	Goodlette	Mack	Stansel
Bowen	Gottlieb	Mahon	Trovillion
Brown	Green	Mayfield	Wallace
Brummer	Greenstein	Maygarden	Waters
Brutus	Haridopolos	McGriff	Weissman
Bucher	Harper	Meadows	Wiles
Bullard	Harrell	Mealor	Wilson
Byrd	Harrington	Melvin	Wishner
Cantens	Hart	Murman	
Carassas	Henriquez	Needelman	

Nays—None

Votes after roll call:

Yeas—Hogan

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

On motion by Rep. Russell, the House agreed to take up CS for SB 24-B for consideration.

*The Honorable Tom Feeney, Speaker*

I am directed to inform the House of Representatives that the Senate has admitted for introduction and consideration by the required

constitutional two-thirds vote and passed CS for SB 24-B and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Appropriations and Senator Clary—

CS for SB 24-B—A bill to be entitled An act relating to construction of transportation facilities; amending s. 337.107, F.S.; allowing the Department of Transportation, until July 1, 2003, to include right-of-way services as part of design-build contracts; amending s. 337.11, F.S.; broadening, until July 1, 2003, the list of transportation projects that may be awarded as design-build contracts; specifying that construction of any portion of a project under a design-build contract may not begin until title to the necessary rights-of-way and easements for that portion has vested in the state or a local governmental entity and all railroad crossing and utility agreements have been executed; providing an effective date.

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

Session Vote Sequence: 620

Yeas—118

Table listing names of representatives who voted 'Yeas' in four columns: Clarke, Heyman, Negron, Crow, Hogan, Paul, Cusack, Holloway, Peterman, Davis, Jennings, Pickens, Detert, Johnson, Prieguez, Diaz de la Portilla, Jordan, Rich, Diaz-Balart, Joyner, Richardson, Dockery, Justice, Ritter, Evers, Kallinger, Romeo, Farkas, Kendrick, Ross, Fasano, Kilmer, Rubio, Fields, Kosmas, Russell, Fiorentino, Kravitz, Ryan, Flanagan, Kyle, Seiler, Frankel, Lacasa, Simmons, Gannon, Lee, Siplin, Garcia, Lerner, Smith, Gardiner, Littlefield, Sobel, Gelber, Lynn, Sorensen, Gibson, Macheck, Spratt, Goodlette, Mack, Stansel, Gottlieb, Mahon, Trovillion, Green, Mayfield, Wallace, Greenstein, Maygarden, Waters, Haridopolos, McGriff, Weissman, Harper, Meadows, Wiles, Harrell, Mealor, Wilson, Harrington, Melvin, Wishner, Hart, Murman, Henriquez, Needelman.

Nays—None

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

Bills and Joint Resolutions on Third Reading

CS for SB 2-B—A bill to be entitled An act making appropriations; providing appropriations and reductions in appropriations for the 2001-2002 fiscal year, 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.

—was read the third time by title.

Representative(s) Argenziano offered the following:

(Amendment Bar Code: 680889)

Amendment 1—

In Section 02, On page 27, Specific Appropriation 115

Table with columns: LUMP SUM, DELETED, INSERT. Rows include Educational and General Activities, From General Revenue Fund (-73,219,074), and DELETED the proviso immediately following Specific Appropriation 115.

and insert in lieu thereof:

The reduced appropriation in Specific Appropriation 115 for General Revenue shall be for the following programs and issues: Discretionary Educational & General Lump Sum

Table listing various programs and their amounts: UF (-1,864,292), FSU (-1,428,750), FAMU (-562,789), USF (-1,193,899), FAU (-694,306), UWF (-286,092), UCF (-1,027,368), FIU (-971,857), UNF (-355,266), FGCU (-155,429), Fee Waivers (-55,241,209), Nanoscience & Technology-UCF (-2,500,000), Hi Tech Corridor Workforce-UCF/USF (-1,000,000), Space Partnership-UCF/UF (-1,000,000), Biomedical Research-FAU (-1,000,000), Hospitality Entertainment-UCF (-1,375,000), Institute of Technology-FIU (-2,000,000), Law School-FAMU (-1,156,000), Law School-FUI (-1,156,000), Infant and Child Development (-400,000), Institute of Machine Cognition-UWF (-500,000), Internet Coast-FAU (-150,000), Florida Campus Compact-FSU (-133,111), Ports matching-USF (150,000), Chiropractic Medicine (-250,000), 3+1 Education Study-UCF (-37,500), Operating Costs for New Facilities (-462,396), Education Governance Transition (-1,855,310).

Funds in Specific Appropriation 115 for General Revenue include an increase as follows:

Table listing Discretionary Educational & General Lump Sum for University of Florida (800,925) and Florida State University (613,600).

Florida Agricultural and Mechanical Univ . . . . .	241,531
University of South Florida . . . . .	512,562
Florida Atlantic Univeristy . . . . .	297,950
University of West Florida . . . . .	122,794
University of Central Florida . . . . .	441,394
Florida International University . . . . .	417,425
University of North Florida . . . . .	152,662
Florida Gulf Coast University . . . . .	66,744
New College . . . . .	19,913

Funds in Specific Appropriation 115 from the Education and General Student and Other Fees TF and the student fees appropriated in Specific Appropriations 194, 196, 197, 198 and 199, in the Education and General Student and Other Fees TF in Chapter 2001-253, represent fees to be collected pursuant to the enrollment plan funded in Chapter 2001-253. The university presidents may waive student fees for undergraduate and graduate students and/or may use discretionary funds to provide scholarships and other financial aid for these students.

And In Section 03, On page 43, Specific Appropriation 199

SPECIAL CATEGORIES

Nursing Home Diversion Waiver

From General Revenue Fund	-1,772,013	-772,013
From Operations and Maintenance		
Trust Fund	-2,255,289	-1,255,289

And In Section 03, On page 43, Specific Appropriation 198

SPECIAL CATEGORIES

Grants and Aids - Alzheimers Disease

Respite Services

From General Revenue Fund	-1,825,485	-825,485
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Rep. Argenziano moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

**Statement of Legislative Intent on CS for SB 2-B**

On motion by Rep. Goodlette, the rules were waived and the following statements were ordered spread upon the *Journal*, in order to establish legislative intent:

**Rep. Lacasa:** Mr. Speaker, Specific Appropriation 447—entitled “Lump Sum—Salary Increases”—Specific Appropriation 447 and its accompanying proviso is intended to rescind the competitive pay adjustments authorized by Section 8 of Chapter 2001-253, Laws of Florida—the General Appropriations Act passed during the 2001 Regular Session—for only non-unit employees whose October 31, 2001, base rate of pay is greater than \$90,000, and those public officers and commission members listed in Section 8 of this bill. This bill is not intended to rescind the pay raise for the rank-and-file employees.

“Non-Unit” employees means those employees not represented for collective bargaining purposes, including: Employees within the Career Service; within the Senior Management Service; within the Selected Exempted Service; within the Judicial Branch; within the State University System; the Executive Office of the Governor; and employees within the pay plans administered by the Justice Administrative Commission, the Public Defenders, and the State Attorneys; and employees of the Department of the Lottery.

In addition, it is the intent that trust fund budget authority otherwise appropriated for competitive pay adjustments that are rescinded shall be placed in reserve by the agencies.

**Rep. Lynn:** Thank you, Mr. Speaker. This is a correction of the Senate Budget—a very simple correction, actually, that changes pluses and minuses.

The proviso language following Specific Appropriation 70A, “Restore As Non-Recurring—Grants and Aids—Grants to Public Schools for Reading Programs,” reads as follows:

“The restoration from non-recurring funds appropriation in Specific Appropriation 70A shall be allocated as follows: -\$1,459,820 for the Florida Literacy and Reading Excellence Center (FLARE) at UCF, -\$241,555 for the Northeast Florida Education Consortium Reading Initiative, and -\$1,050,240 for Project Child.”

It is the intent of the Legislature that this language should be interpreted to read as follows:

The restoration from non-recurring funds appropriation in Specific Appropriation 70A shall be allocated as follows: \$1,459,820 for the Florida Literacy and Reading Excellence Center (FLARE) at UCF, \$241,555 for the Northeast Florida Education Consortium Reading Initiative, and \$1,050,240 for Project Child.

**Rep. Johnson:** Mr. Speaker, we’d like to read some intent language into the record to clarify proviso on line item 477A.

The proviso for specific appropriation 477A in Senate Bill 2-B, First Engrossed, requires clarification.

The proviso states that, “The Florida Commission on Tourism/VISIT FLORIDA shall ensure that a dollar for dollar private industry match is provided.” Based on our discussions and the plan presented by VISIT FLORIDA for the use of these funds and for marketing for the state, we intend that the required private industry match includes dollars from local and regional tourism industry marketing organizations where those dollars are expended for cooperative advertising with VISIT FLORIDA.

REPRESENTATIVE MELVIN IN THE CHAIR

THE SPEAKER IN THE CHAIR

The question recurred on the passage of CS for SB 2-B. The vote was:

Session Vote Sequence: 621

Yeas—77

The Chair	Brummer	Green	Mealor
Alexander	Byrd	Haridopolos	Melvin
Allen	Cantens	Harrell	Murman
Andrews	Carassas	Harrington	Needelman
Argenziano	Clarke	Hart	Negron
Arza	Crow	Hogan	Paul
Attkisson	Davis	Johnson	Pickens
Atwater	Detert	Jordan	Prieguez
Baker	Diaz de la Portilla	Kallinger	Ross
Ball	Diaz-Balart	Kilmer	Rubio
Barreiro	Dockery	Kottkamp	Russell
Baxley	Evers	Kravitz	Simmons
Bean	Farkas	Kyle	Sorensen
Bennett	Fasano	Lacasa	Spratt
Bense	Florentino	Littlefield	Trivillion
Benson	Flanagan	Lynn	Wallace
Berfield	Garcia	Mack	Waters
Bilirakis	Gardiner	Mahon	
Bowen	Gibson	Mayfield	
Brown	Goodlette	Maygarden	

Nays—41

Ausley	Fields	Henriquez	Lee
Bendross-Mindingall	Frankel	Heyman	Lerner
Betancourt	Gannon	Holloway	Machek
Brutus	Gelber	Jennings	McGriff
Bucher	Gottlieb	Joyner	Meadows
Bullard	Greenstein	Justice	Peterman
Cusack	Harper	Kosmas	Rich

Richardson	Seiler	Sobel	Wiles	Jordan	Lynn	Peterman	Smith
Ritter	Siplin	Stansel	Wilson	Joyner	Mack	Pickens	Sobel
Romeo	Smith	Weissman	Wishner	Justice	Mahon	Prieguez	Sorensen
Ryan				Kilmer	Mayfield	Rich	Spratt
				Kosmas	Maygarden	Romeo	Stansel
				Kottkamp	McGriff	Ross	Wallace
				Kravitz	Mealor	Rubio	Waters
				Kyle	Melvin	Russell	Weissman
				Lacasa	Murman	Ryan	Wiles
				Lee	Needelman	Seiler	Wilson
				Lerner	Negron	Simmons	Wishner
				Littlefield	Paul	Siplin	

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

#### Explanation of Vote

I believe a budget should reflect your priorities. My priorities, as a candidate and as a legislator, are improving education, protecting Florida's seniors, and enhancing the lives of those with developmental disabilities.

This budget doesn't properly reflect my priorities. I do not believe it reflects Florida's priorities. This is why I cannot support this budget reduction legislation.

*Rep. Charlie Justice*  
*District 53*

#### Explanation of Vote

In accordance with Rule 9.7, I submit the following explanation of vote. The Senate and House versions of the budget reflect optimism and pessimism regarding economic forecasting. Ultimately one version will be judged realism, but I voted with the majority following the Senate in guarded optimism. So much rhetoric about "cuts" came forth, I must submit a list of facts. SB 2 constitutes a revision of total FY 01/02 appropriations upward. The net increase over FY 00/01 is \$3,974 million (7.8%). What family wouldn't feel overjoyed with a 7.8% pay raise in the coming year? In Education the K-12 FEFP is increased \$638 million. PECO spending to construct schools is up to \$2,272 million, which is the most massive annual expense ever. The HHS spending is the largest increase ever at \$1,905 million (12.8%). TED increased \$1,915 million (26%), again the largest road building increase ever. If we spent more this year than last that is not a "cut" it is growth.

I challenge all Members to bring to me any line item that is actually lower than in FY 00/01. Those who think the current budget is insufficient must answer the question, "Where were we one year and \$4.0 billion ago?" The budget as revised in SB 2 is the largest single year growth in spending without a tax increase in Florida history.

*Rep. Rob Wallace*  
*District 47*

#### Consideration of HB 145-B

**HB 145-B**—A bill to be entitled An act relating to compensation of state officials; prescribing the salary rate for specified state officials; providing an expiration date and an effective date.

—was taken up, having been read the first time earlier today. On motion by Rep. Fasano, the rules were waived and the bill was read the second time by title and the third time by title. On passage, the vote was:

Session Vote Sequence: 622

Yeas—103

The Chair	Berfield	Davis	Gelber
Allen	Betancourt	Detert	Gibson
Arza	Bilirakis	Diaz de la Portilla	Goodlette
Attkisson	Bowen	Diaz-Balart	Gottlieb
Atwater	Brown	Dockery	Green
Ausley	Brummer	Evers	Greenstein
Baker	Bucher	Farkas	Haridopolos
Ball	Bullard	Fasano	Harrell
Barreiro	Byrd	Fields	Harrington
Baxley	Cantens	Fiorentino	Hart
Bean	Carassas	Flanagan	Henriquez
Bendross-Mindingall	Clarke	Frankel	Heyman
Bennett	Crow	Gannon	Hogan
Bense	Cusack	Gardiner	Jennings

Jordan	Lynn	Peterman	Smith
Joyner	Mack	Pickens	Sobel
Justice	Mahon	Prieguez	Sorensen
Kilmer	Mayfield	Rich	Spratt
Kosmas	Maygarden	Romeo	Stansel
Kottkamp	McGriff	Ross	Wallace
Kravitz	Mealor	Rubio	Waters
Kyle	Melvin	Russell	Weissman
Lacasa	Murman	Ryan	Wiles
Lee	Needelman	Seiler	Wilson
Lerner	Negron	Simmons	Wishner
Littlefield	Paul	Siplin	

Nays—8

Alexander	Argenziano	Harper	Kallinger
Andrews	Garcia	Holloway	Richardson

Votes after roll call:

Yeas—Benson, Ritter

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

#### Consideration of HB 63-B

**HB 63-B**—A bill to be entitled An act relating to state funds; reenacting s. 215.32(2)(b), F.S., to implement the transfer of moneys to the Working Capital Fund from certain trust funds; providing an effective date.

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

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

On motion by Rep. Fasano, the rules were waived and HB 63-B, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 623

Yeas—117

The Chair	Carassas	Harrington	Meadows
Alexander	Clarke	Hart	Mealor
Andrews	Crow	Henriquez	Melvin
Argenziano	Cusack	Heyman	Murman
Arza	Davis	Hogan	Needelman
Attkisson	Detert	Holloway	Negron
Atwater	Diaz de la Portilla	Jennings	Paul
Ausley	Diaz-Balart	Johnson	Peterman
Baker	Dockery	Jordan	Pickens
Ball	Evers	Joyner	Prieguez
Barreiro	Farkas	Justice	Rich
Baxley	Fasano	Kallinger	Richardson
Bean	Fields	Kilmer	Ritter
Bendross-Mindingall	Fiorentino	Kosmas	Romeo
Bennett	Flanagan	Kottkamp	Ross
Bense	Frankel	Kravitz	Rubio
Benson	Gannon	Kyle	Russell
Berfield	Garcia	Lacasa	Ryan
Betancourt	Gardiner	Lee	Seiler
Bilirakis	Gelber	Lerner	Simmons
Bowen	Gibson	Littlefield	Siplin
Brown	Goodlette	Lynn	Smith
Brummer	Gottlieb	Machek	Sobel
Brutus	Green	Mack	Sorensen
Bucher	Greenstein	Mahon	Spratt
Bullard	Haridopolos	Mayfield	Stansel
Byrd	Harper	Maygarden	Trovillion
Cantens	Harrell	McGriff	Wallace

Waters Wiles Wilson Wishner  
 Weissman  
 Nays—None

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

On motion by Rep. Byrd the House moved to the order of—

**Messages from the Senate**

*The Honorable Tom Feeney, Speaker*

I am directed to inform the House of Representatives that the Senate has admitted for introduction and consideration by the required Constitutional two-thirds vote of the members of the Senate, and passed SB 94-B, with amendments and requests the concurrence of the House.

*Faye W. Blanton, Secretary*

Rep. Diaz de la Portilla moved that **SB 94-B** be admitted for introduction, the Speaker having ruled the measure was outside the purview of the Call.

The motion was agreed to by the required constitutional two-thirds vote and—

By Senators Dyer and Wasserman Schultz—

**SB 94-B**—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating an American Red Cross license plate; creating a United We Stand license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

—was read the first time by title. On motion by Rep. Diaz de la Portilla, the rules were waived and the bill was read the second time by title and the third time by title. On passage, the vote was:

Session Vote Sequence: 624

Yeas—110

The Chair	Cusack	Jennings	Peterman
Alexander	Davis	Johnson	Pickens
Allen	Detert	Jordan	Prieguez
Andrews	Diaz de la Portilla	Joyner	Rich
Argenziano	Diaz-Balart	Justice	Richardson
Arza	Evers	Kallinger	Ritter
Attkisson	Farkas	Kilmer	Romeo
Atwater	Fasano	Kosmas	Ross
Ausley	Fields	Kottkamp	Rubio
Baker	Fiorentino	Kravitz	Russell
Ball	Flanagan	Kyle	Ryan
Barreiro	Frankel	Lacasa	Seiler
Bean	Gardiner	Lee	Simmons
Bendross-Mindingall	Gelber	Lerner	Siplin
Bennett	Gibson	Littlefield	Smith
Bense	Goodlette	Lynn	Sobel
Benson	Gottlieb	Machek	Sorensen
Berfield	Green	Mack	Spratt
Betancourt	Greenstein	Mahon	Stansel
Bilirakis	Haridopolos	Mayfield	Trovillion
Bowen	Harper	Maygarden	Wallace
Brown	Harrell	McGriff	Waters
Bucher	Harrington	Mealor	Weissman
Bullard	Hart	Melvin	Wiles
Byrd	Henriquez	Murman	Wilson
Cantens	Heyman	Needelman	Wishner
Clarke	Hogan	Negron	
Crow	Holloway	Paul	

Nays—4

Baxley	Brummer	Gannon	Garcia
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So the bill passed and was immediately certified to the Senate.

On motion by Rep. Byrd, the House agreed to take up SB 40-B for consideration.

*The Honorable Tom Feeney, Speaker*

I am directed to inform the House of Representatives that the Senate has admitted for introduction and consideration by the required Constitutional two-thirds vote and passed SB 40-B, and requests the concurrence of the House.

*Faye W. Blanton, Secretary*

By Senator Burt—

**SB 40-B**—A bill to be entitled An act relating to the Florida Disaster Volunteer Leave Act; amending s. 110.120, F.S.; authorizing the Governor and Cabinet to approve leave under the act for services in response to a disaster occurring within the boundaries of the United States; providing an effective date.

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

Session Vote Sequence: 625

Yeas—116

The Chair	Clarke	Heyman	Needelman
Alexander	Crow	Hogan	Negron
Allen	Cusack	Holloway	Paul
Andrews	Davis	Jennings	Peterman
Argenziano	Detert	Johnson	Pickens
Attkisson	Diaz de la Portilla	Jordan	Prieguez
Atwater	Diaz-Balart	Joyner	Rich
Ausley	Evers	Justice	Richardson
Baker	Farkas	Kallinger	Ritter
Ball	Fasano	Kilmer	Romeo
Barreiro	Fields	Kosmas	Ross
Baxley	Fiorentino	Kottkamp	Rubio
Bean	Flanagan	Kravitz	Russell
Bendross-Mindingall	Frankel	Kyle	Ryan
Bennett	Gannon	Lacasa	Seiler
Bense	Garcia	Lee	Simmons
Benson	Gardiner	Lerner	Siplin
Berfield	Gelber	Littlefield	Smith
Betancourt	Gibson	Lynn	Sobel
Bilirakis	Goodlette	Machek	Sorensen
Bowen	Gottlieb	Mack	Spratt
Brown	Green	Mahon	Stansel
Brummer	Greenstein	Mayfield	Trovillion
Brutus	Haridopolos	Maygarden	Wallace
Bucher	Harper	McGriff	Waters
Bullard	Harrell	Meadows	Weissman
Byrd	Harrington	Mealor	Wiles
Cantens	Hart	Melvin	Wilson
Carassas	Henriquez	Murman	Wishner

Nays—None

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

*The Honorable Tom Feeney, Speaker*

I am directed to inform the House of Representatives that the Senate has admitted for introduction and consideration by the required Constitutional two-thirds vote and passed CS for SB 42-B, and requests the concurrence of the House.

*Faye W. Blanton, Secretary*

Rep. Waters moved that **CS for SB 42-B** be admitted for introduction, the Speaker having ruled the measure was outside the purview of the Call.

The motion was agreed to by the required constitutional two-thirds vote and—

By the Committee on Banking and Insurance and Senators Burt and Mitchell—

**CS for SB 42-B**—A bill to be entitled An act relating to health insurance for persons called to active military duty; amending s. 627.6692, F.S.; specifying that the termination of employment of an employee during or after a period of active military duty constitutes a separate qualifying event for purposes of allowing the employee to elect to continue coverage under the employer's group health plan; specifying when such coverage period begins; specifying other qualifying events that allow for continuation of coverage if a covered employee is called to active duty; tolling the maximum time period for which coverage may be continued under an employer's group health plan for an individual who has elected coverage and who is called to active military duty, for the time that the individual is covered under the federal TRICARE health care program; providing a time period within which the individual may elect to continue coverage under the employer's group health plan after TRICARE coverage terminates; providing an effective date.

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

Session Vote Sequence: 626

Yeas—118

The Chair	Clarke	Heyman	Negron
Alexander	Crow	Hogan	Paul
Allen	Cusack	Holloway	Peterman
Andrews	Davis	Jennings	Pickens
Argenziano	Detert	Johnson	Prieguez
Arza	Diaz de la Portilla	Jordan	Rich
Attkisson	Diaz-Balart	Joyner	Richardson
Atwater	Dockery	Justice	Ritter
Ausley	Evers	Kallinger	Romeo
Baker	Farkas	Kilmer	Ross
Ball	Fasano	Kosmas	Rubio
Barreiro	Fields	Kottkamp	Russell
Baxley	Fiorentino	Kravitz	Ryan
Bean	Flanagan	Kyle	Seiler
Bendross-Mindingall	Frankel	Lacasa	Simmons
Bennett	Gannon	Lee	Siplin
Bense	Garcia	Lerner	Smith
Benson	Gardiner	Littlefield	Sobel
Berfield	Gelber	Lynn	Sorensen
Betancourt	Gibson	Machek	Spratt
Bilirakis	Goodlette	Mack	Stansel
Bowen	Gottlieb	Mahon	Trovillion
Brown	Green	Mayfield	Wallace
Brummer	Greenstein	Maygarden	Waters
Brutus	Haridopolos	McGriff	Weissman
Bucher	Harper	Meadows	Wiles
Bullard	Harrell	Mealor	Wilson
Byrd	Harrington	Melvin	Wishner
Cantens	Hart	Murman	
Carassas	Henriquez	Needelman	

Nays—None

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

*The Honorable Tom Feeney, Speaker*

I am directed to inform the House of Representatives that the Senate has admitted for introduction and consideration by the required constitutional two-thirds vote and passed SB 54-B and requests the concurrence of the House.

*Faye W. Blanton, Secretary*

Rep. Rubio moved that **SB 54-B** be admitted for introduction, the Speaker having ruled the measure was outside the purview of the Call.

The motion was agreed to by the required constitutional two-thirds vote and—

By Senator Silver—

**SB 54-B**—A bill to be entitled An act relating to local governments in a state of financial emergency; amending s. 218.503, F.S.; specifying the municipalities that may impose a surcharge on the gross revenues of certain parking facilities; providing an effective date.

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

Session Vote Sequence: 627

Yeas—93

The Chair	Crow	Hogan	Rich
Alexander	Cusack	Holloway	Richardson
Allen	Davis	Jennings	Ritter
Argenziano	Detert	Johnson	Romeo
Arza	Diaz de la Portilla	Jordan	Ross
Attkisson	Diaz-Balart	Joyner	Rubio
Atwater	Farkas	Kallinger	Ryan
Ausley	Fasano	Kilmer	Seiler
Ball	Fields	Kosmas	Simmons
Barreiro	Flanagan	Lacasa	Siplin
Baxley	Frankel	Lerner	Smith
Bean	Gannon	Littlefield	Sobel
Bendross-Mindingall	Garcia	Lynn	Sorensen
Bense	Gelber	Machek	Spratt
Benson	Gibson	Mahon	Stansel
Berfield	Goodlette	Mayfield	Trovillion
Bilirakis	Gottlieb	McGriff	Waters
Bowen	Green	Mealor	Weissman
Brutus	Greenstein	Murman	Wiles
Bullard	Harper	Needelman	Wilson
Byrd	Harrell	Paul	Wishner
Cantens	Harrington	Peterman	
Carassas	Henriquez	Pickens	
Clarke	Heyman	Prieguez	

Nays—18

Baker	Dockery	Justice	Maygarden
Betancourt	Fiorentino	Kottkamp	Melvin
Brown	Gardiner	Kravitz	Wallace
Brummer	Haridopolos	Kyle	
Bucher	Hart	Mack	

Votes after roll call:

Yeas—Bennett, Evers

Yeas to Nays—Goodlette

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

*The Honorable Tom Feeney, Speaker*

I am directed to inform the House of Representatives that the Senate has admitted for introduction and consideration by the required Constitutional two-thirds vote of the members of the Senate, and passed SB 48-B, with amendments and requests the concurrence of the House.

*Faye W. Blanton, Secretary*

Rep. Johnson moved that **SB 48-B** be admitted for introduction, the Speaker having ruled the measure was outside the purview of the Call.

The motion was agreed to by the required constitutional two-thirds vote and—

By Senator Sebesta—

**SB 48-B**—A bill to be entitled An act relating to airports, amending s. 332.007, F.S.; providing economic assistance to airports; providing for

noise mitigation for certain airports; requiring certain notice to the Legislature; providing an effective date.

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

Session Vote Sequence: 628

Yeas—118

The Chair	Clarke	Heyman	Negron
Alexander	Crow	Hogan	Paul
Allen	Cusack	Holloway	Peterman
Andrews	Davis	Jennings	Pickens
Argenziano	Detert	Johnson	Prieguez
Arza	Diaz de la Portilla	Jordan	Rich
Attkisson	Diaz-Balart	Joyner	Richardson
Atwater	Dockery	Justice	Ritter
Ausley	Evers	Kallinger	Romeo
Baker	Farkas	Kilmer	Ross
Ball	Fasano	Kosmas	Rubio
Barreiro	Fields	Kottkamp	Russell
Baxley	Fiorentino	Kravitz	Ryan
Bean	Flanagan	Kyle	Seiler
Bendross-Mindingall	Frankel	Lacasa	Simmons
Bennett	Gannon	Lee	Siplin
Bense	Garcia	Lerner	Smith
Benson	Gardiner	Littlefield	Sobel
Berfield	Gelber	Lynn	Sorensen
Betancourt	Gibson	Machek	Spratt
Bilirakis	Goodlette	Mack	Stansel
Bowen	Gottlieb	Mahon	Trovillion
Brown	Green	Mayfield	Wallace
Brummer	Greenstein	Maygarden	Waters
Brutus	Haridopolos	McGriff	Weissman
Bucher	Harper	Meadows	Wiles
Bullard	Harrell	Mealor	Wilson
Byrd	Harrington	Melvin	Wishner
Cantens	Hart	Murman	
Carassas	Henriquez	Needelman	

Nays—None

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

**Votes After Roll Call**

Rep. Kendrick:

Yeas—SB 40-B; CS for SB 42-B; SB 48-B; SB 54-B; HB 63-B; SB 94-B; HB 145-B

Nays—CS for SB 2-B

Rep. Negron:

Nays—SB 54-B

**Cosponsors**

- HB 3-B—Paul
- HB 9-B—Mahon
- HB 29-B—Cusack, Justice
- CS/HB 35-B—Mahon
- HB 47-B—Mahon
- HB 53-B—Kottkamp, Needelman
- HB 71-B—Harrell, Mahon
- HB 87-B—Mahon
- HB 91-B—McGriff
- HB 93-B—Justice

**Introduction and Reference**

**HB 1-B**—Passed October 22.

By Representatives Sorensen, Fasano, Negron, Melvin, Needelman, Stansel, Green, Baxley, Baker, Harrell, Harrington, and Paul—

**HB 3-B**—A bill to be entitled An act relating to compensation of legislators; amending s. 11.13, F.S.; reducing the compensation of legislators for a specified period; providing for future repeal of such reduction; providing an effective date.

Filed.

**HB 5-B**—Read first time by title October 23.

**HB 7-B**—Read first time by title October 23.

**HB 9-B**—Read first time by title October 23.

By Representative Andrews—

**HB 11-B**—A bill to be entitled An act relating to incentives to promote new product development; providing a short title; creating s. 288.1172, F.S.; providing definitions; providing for licensing of certain products or technologies by donor companies to receiving companies for production and marketing; providing duties of such companies, the Office of Tourism, Trade, and Economic Development, and the Department of Revenue; providing requirements for product development agreements; providing that donor companies may be granted a credit which may be used to fund sponsored research at a state university, as reimbursement for the purchase of machinery, equipment, or building supplies used in a Florida manufacturing facility, or as a corporate income tax credit; creating s. 220.115, F.S.; requiring receiving companies to file a corporate tax return and remit to the state certain fees in addition to any corporate income tax due; providing for application of administrative and penalty provisions of ch. 220, F.S.; creating s. 220.1825, F.S.; providing for a credit against the corporate income tax for donor companies that so elect; providing for carryover of the credit; providing for rules; amending s. 220.02, F.S.; providing order of credits against the corporate income tax; providing an effective date.

Filed.

**HB 13-B**—Read first time by title October 23.

By Representatives Farkas and Harrell—

**HB 15-B**—A bill to be entitled An act relating to health care; transferring to the Department of Health the powers, duties, functions, and assets that relate to the consumer complaint services, investigations, and prosecutorial services performed by the Agency for Health Care Administration under contract with the department; amending s. 20.43, F.S.; deleting provisions authorizing the department to enter into such contracts with the agency, to conform; amending s. 456.073, F.S.; revising procedures and timeframes for formal hearings of health care practitioner disciplinary cases; providing an alternative hearings procedure under specified circumstances; amending s. 456.076, F.S.; requiring impaired practitioners to pay a portion of the cost of the impaired practitioner programs and consultants and the full cost of the required treatment program or plan; repealing s. 456.047, F.S., relating to standardized credentialing for health care practitioners; providing an effective date.

Filed.

**HB 17-B**—Read first time by title October 23.

**HB 19-B**—Read first time by title October 24.

**HB 21-B**—Passed October 23.

**HB 23-B**—Read first time by title October 23.

**HB 25-B**—Passed October 23.

**HB 27-B**—Read first time by title October 23.

**HB 29-B**—Read first time by title October 24.

**HB 31-B**—Read first time by title October 25.

By the Fiscal Responsibility Council; Representative Lacasa—

**HB 33-B**—A bill to be entitled An act implementing the act that provides appropriations and reductions in appropriations for the 2001-2002 state fiscal year; providing legislative intent; amending s. 16.555, F.S.; providing that moneys in the Crime Stoppers Trust Fund may be used to pay for salaries and benefits and other expenses of the Department of Legal Affairs; reenacting s. 215.32(2)(b), F.S., to implement the transfer of moneys to the Working Capital Fund from certain trust funds; amending s. 216.023, F.S.; providing for adjustments to performance measures and standards for the executive and judicial branches necessitated by reductions and other changes to appropriations for the 2001-2002 state fiscal year; amending s. 257.195, F.S.; suspending revenue shortfall procedures applicable to appropriations for library grants from state sources; amending s. 339.135, F.S.; requiring adjustment of the adopted work program of the Department of Transportation to include certain economic stimulus projects; amending s. 401.113, F.S.; providing that moneys in the Emergency Medical Services Trust Fund may also be used for the purpose of funding the rural hospital capital improvement grant program; amending s. 561.121, F.S.; providing that moneys in the Children and Adolescents Substance Abuse Trust Fund may also be used for the purpose of funding programs directed at reducing and eliminating substance abuse problems among adults; amending s. 860.158, F.S.; providing that moneys in the Florida Motor Vehicle Theft Prevention Trust Fund may be used to pay for salaries and benefits and other expenses of the Department of Legal Affairs; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing severability; providing an effective date.

Filed.

**HB 35-B**—Read first time by title October 23.

**HB 37-B**—Read first time by title October 23.

By Representatives Melvin, Byrd, Bense, Bowen, Maygarden, and Wallace—

**HB 39-B**—A bill to be entitled An act relating to district school board member compensation; amending s. 230.202, F.S.; providing that each school board member shall receive a salary of \$100 per month; amending ss. 230.201 and 145.19, F.S., relating to district school board member travel expenses and annual percentage increases, respectively, to conform; providing an effective date.

Filed.

By Representative Rich—

**HB 41-B**—A bill to be entitled An act relating to sale or transfer of firearms at gun shows; amending s. 790.001, F.S.; defining “gun show,” “gun show promoter,” and “gun show vendor”; creating s. 790.0653, F.S.; prohibiting the sale or transfer of a firearm by a gun show vendor at a gun show unless a criminal history background check of the prospective transferee has been conducted; requiring approval of the transfer from the Department of Law Enforcement; providing a third degree felony penalty for violation; providing a third degree felony penalty for the willful and knowing provision of false identification or fraudulent information relative to the sale or transfer of a firearm at a gun show; requiring licensed gun dealers conducting criminal history background checks at gun shows to record the transfer of a firearm and retain records as otherwise required by law; requiring gun show promoters to arrange for the services of one or more licensed gun dealers to be on the premises of a gun show for the purpose of obtaining background checks; requiring posting of specified notice at gun shows; providing a first degree misdemeanor penalty for failure to post such notice; exempting antique firearms from the requirements of the act; authorizing licensed gun dealers to charge a fee for conducting background checks at gun shows; providing an effective date.

Filed.

**HB 43-B**—Read first time by title October 23.

By Representative Gannon—

**HB 45-B**—A bill to be entitled An act relating to Medicaid funding; providing guidelines for the amount of state funds to be appropriated for Medicaid programs for the remainder of fiscal year 2001-2002 and for fiscal year 2002-2003; providing an effective date.

Filed.

**HB 47-B**—Read first time by title October 23.

By Representatives Rubio and Lacasa—

**HB 49-B**—A bill to be entitled An act relating to local governments in a state of financial emergency; amending s. 218.503, F.S.; specifying the municipalities that may impose a surcharge on the gross revenues of certain parking facilities; providing an effective date.

Filed.

By Representatives Mealor, Baxley, Kilmer, Andrews, and Harrell—

**HB 51-B**—A bill to be entitled An act relating to academic freedom and responsibility; creating s. 228.506, F.S.; requiring appointed board members to take an oath of allegiance; creating s. 228.507, F.S.; providing legislative findings regarding academic freedom and responsibility; requiring the Florida Board of Education to convene an advisory board; amending s. 876.05, F.S.; revising the oath required of persons employed by school boards and districts of the free public school system and public institutions of higher learning; reenacting ss. 876.06, 876.07, 876.08, 876.09, and 876.10, F.S., relating to discharge, qualification, penalty, scope, and false oath, to incorporate the amendment to s. 876.05, F.S., in references thereto; providing an effective date.

Filed.

**HB 53-B**—Passed October 24.

By Representatives Frankel and Wilson—

**HB 55-B**—A bill to be entitled An act relating to taxes on intangible personal property; amending s. 199.185, F.S.; reducing the amount of the exemptions provided to natural persons; deleting the exemption provided to other taxpayers; providing an effective date.

Filed.

By the Fiscal Responsibility Council; Representative Ball—

**HB 57-B**—A bill to be entitled An act relating to the Inmate Welfare Trust Fund; amending s. 945.215, F.S.; revising provisions establishing the amount of the weekly draw inmates are allowed to request from their individual accounts in the trust fund; providing an effective date.

Filed.

By the Fiscal Responsibility Council; Representative Ball—

**HB 59-B**—A bill to be entitled An act relating to court-appointed counsel; amending s. 39.013, F.S.; making state payment of court-appointed counsel representing indigent parents at shelter hearings permissive rather than mandatory; providing an effective date.

Filed.

By the Fiscal Responsibility Council; Representative Ball—

**HB 61-B**—A bill to be entitled An act relating to the County Article V Trust Fund; amending s. 25.402, F.S.; authorizing the use of moneys in the trust fund to fund the state courts system; amending s. 34.201, F.S.; removing a provision relating to funds credited to the trust fund and the uses thereof, to conform; providing an effective date.

Filed.

**HB 63-B**—Passed earlier today.

By the Fiscal Responsibility Council; Representative Dockery—

**HB 65-B**—A bill to be entitled An act relating to solicitation of contributions; amending ss. 496.405, 496.409, 496.410, and 496.419, F.S.; eliminating restrictions on the use of funds deposited into the General Inspection Trust Fund from registration fees and fines imposed under ch. 496, F.S., relating to solicitation of contributions; providing an effective date.

Filed.

**HB 67-B**—Passed earlier today.

By Representative Ritter—

**HB 69-B**—A bill to be entitled An act relating to flight training schools; creating part XV of ch. 468, F.S., the “Florida Flight Training School Licensing Act of 2002”; creating s. 468.90, F.S.; providing a short title; creating s. 468.901, F.S.; providing purpose and intent; creating s. 468.903, F.S.; providing definitions; creating s. 468.905, F.S.; providing powers and duties of the department; creating s. 468.907, F.S.; providing requirements for licensure of flight training schools; creating s. 468.909, F.S.; providing requirements for applicants for flight training; providing specified violations; providing penalties; providing conditions for disqualification of an applicant for flight training; requiring flight training schools to make specified annual reports to the department; creating s. 468.911, F.S.; providing for specified license fees and the disposition thereof; creating s. 468.913, F.S.; providing for license renewal; creating s. 468.915, F.S.; providing procedure with respect to inactive licenses; creating s. 468.917, F.S.; providing requirements with respect to contents and posting of licenses; creating s. 468.921, F.S.; requiring the keeping of specified records; creating s. 468.923, F.S.; specifying violations of the act; providing penalties; creating s. 468.925, F.S.; specifying acts for which disciplinary action by the department may be taken; creating s. 468.927, F.S.; requiring the department to report criminal violations to appropriate prosecuting authorities; providing an effective date.

Filed.

**HB 71-B**—Passed earlier today.

**HB 73-B**—Passed earlier today.

By the Fiscal Responsibility Council; Representative Murman—

**HB 75-B**—A bill to be entitled An act relating to health care; amending ss. 409.903 and 409.904, F.S.; revising eligibility categories for optional Medicaid services; restricting certain nursing, intermediate care, or state mental hospital services to the extent that Medicaid contract beds are available; amending s. 409.905, F.S.; restricting certain nursing and rehabilitative services to the extent that Medicaid beds are available; amending s. 409.906, F.S.; eliminating Medicaid coverage for adult denture services; limiting coverage for hearing and visual services to children under age 21; restricting certain intermediate care nursing and rehabilitation services to the extent that Medicaid contract beds are available; authorizing the Agency for Health Care Administration to use mail order pharmacies for drugs prescribed for a Medicaid recipient; amending s. 409.9065, F.S.; revising eligibility for the pharmaceutical expense assistance program; limiting program enrollment levels and authorizing the agency to develop a waiting list; amending s. 409.907, F.S.; authorizing the agency to withhold payments to a Medicaid provider that the agency is investigating for fraud or abuse; providing for inspections and submission of background information as a condition of initial and renewal applications for provider participation in the Medicaid program; clarifying timeframe for enrollment of providers; providing additional considerations for denial of a provider application; amending s. 409.908, F.S.; revising pharmacy provider dispensing fees for products on the preferred drug list and those not so listed; amending ss. 409.912 and 409.9122, F.S.; eliminating requirement that the agency provide enrollment choice counseling to certain Medicaid recipients; amending s. 409.913, F.S.; specifying additional sanctions which may be imposed by the agency against a Medicaid provider; removing a limitation on certain costs the agency is

entitled to recover for provider violations; amending s. 409.915, F.S.; increasing county Medicaid contributions for certain inpatient hospitalization and nursing home and intermediate facilities care; amending ss. 400.071, 400.191, 400.23, 400.235, 409.8132, and 409.815, F.S.; removing references to Medicaid enrollment choice counseling and to nursing facility consumer satisfaction surveys, to conform to the act; correcting cross references; repealing s. 400.0225, F.S., relating to nursing facility consumer satisfaction surveys; providing that the act fulfills an important state interest; repealing s. 400.148, F.S., relating to the Medicaid “Up or Out” Quality of Care Contract Management Program; repealing ss. 464.0195, 464.0196, and 464.0197, F.S., relating to establishment, operation, and funding of the Florida Center for Nursing; providing effective dates.

Filed.

By the Fiscal Responsibility Council; Representative Lynn—

**HB 77-B**—A bill to be entitled An act relating to public school funding; creating the “School District Flexibility Act of 2001”; providing for school district flexibility in the 2001-2002 fiscal year expenditure of specified funds appropriated in ch. 2001-253, Laws of Florida; providing for reports; authorizing equalized nonvoted capital improvement millage to be expended for operations in fiscal year 2001-2002; providing for repeal; repealing paragraph 7 of proviso language for Specific Appropriation 118, ch. 2001-253, Laws of Florida, which provides for calculation of a minimum guaranteed level of funding for school districts; providing an effective date.

Filed.

By the Fiscal Responsibility Council; Representative Ball—

**HB 79-B**—A bill to be entitled An act relating to youth custody officers; repealing s. 985.2075, F.S., to eliminate the position of youth custody officer within the Department of Juvenile Justice; repealing s. 121.021(15)(e), F.S., to remove youth custody officer from the definition of “special risk member,” to conform; repealing s. 121.0515(2)(g), F.S., to remove criteria applicable to youth custody officers for special risk membership in the Florida Retirement System, to conform; providing an effective date.

Filed.

**HB 81-B**—Read first time by title October 25.

By the Fiscal Responsibility Council; Representative Ball—

**HB 83-B**—A bill to be entitled An act relating to juvenile justice; amending s. 984.03, F.S., and repealing subsection (51), relating to the definition of the term “staff-secure shelter”; revising definitions relating to detention; amending s. 985.03, F.S., and repealing subsection (52), relating to the definition of the term “staff-secure shelter”; revising definitions relating to detention; repealing s. 984.225, F.S., relating to powers of disposition and placement of a child in need of services in a staff-secure shelter; repealing s. 984.226, F.S., relating to placement of a child in need of services in a physically secure shelter; amending ss. 984.09 and 985.216, F.S., relating to placement in a secure facility for contempt of court, to conform; amending ss. 316.635 and 318.143, F.S., relating to certain infractions by minors constituting contempt of court, to conform; amending s. 216.136, F.S., relating to duties of the Juvenile Justice Estimating Conference, to conform; amending s. 984.14, F.S.; deleting a cross reference, to conform; creating s. 985.2035, F.S.; providing powers of disposition in cases involving certain misdemeanor offenses; amending ss. 985.207, 985.213, 985.214, 985.215, and 985.404, F.S., relating to detention, to conform; amending s. 985.231, F.S., relating to powers of disposition in delinquency cases; providing for applicability of s. 985.2035, F.S., prior to applicability of this section in certain cases; eliminating reference to consequence units, to conform to changes in detention care and supervision; providing effective dates.

Filed.

**HB 85-B**—Read first time by title earlier today.

By Representatives Kilmer, Bullard, Bowen, Davis, Kravitz, Gibson, Clarke, Kallinger, Fiorentino, Kottkamp, Diaz de la Portilla, Rubio,

Farkas, Needelman, Detert, Harrington, Spratt, Sorensen, Cantens, Crow, Alexander, Trovillion, Ross, Baxley, Paul, Mealor, Jordan, Meadows, Baker, Wallace, Garcia, Berfield, Bean, Stansel, Brutus, Machek, Allen, Waters, Mayfield, Murman, Goodlette, Lynn, Lacasa, Argenziano, Littlefield, Green, Negron, Russell, Evers, Pickens, Melvin, Benson, Atwater, Betancourt, Attkisson, Ritter, Barreiro, Andrews, Dockery, Flanagan, Holloway, Harrell, Bennett, and Mahon—

**HB 87-B**—A bill to be entitled An act relating to historic preservation; creating the “Florida Historical Monuments and Memorials Protection Act”; prohibiting the relocation, removal, disturbance, or alteration of a monument, memorial, plaque, or marker commemorating or memorializing specified wars and military engagements permanently displayed on public property of the state or any of its political subdivisions, except under specified circumstances; prohibiting a person or organization from preventing the public or private body responsible for the protection, preservation, or care of any monument, memorial, plaque, or marker from exercising its responsibility to provide such protection, preservation, or care; providing a penalty for violation; prohibiting the renaming or rededication of a street, park, bridge, building, school, preserve, reserve, or other public area of the state or any of its political subdivisions dedicated in memory of or named for any historic figure or event; providing an exception; providing an effective date.

Filed.

**HB 89-B**—Read first time by title October 25.

By Representatives Gottlieb and McGriff—

**HB 91-B**—A bill to be entitled An act relating to task forces; creating the Task Force to Fix Our Economy; providing for membership; providing purposes and duties of the task force; requiring a report; providing an effective date.

Filed.

**HB 93-B**—Passed earlier today.

By Representative Gottlieb—

**HB 95-B**—A bill to be entitled An act relating to payments to Florida residents based on certain federal tax credits; providing for an annual payment to a Florida resident equal to a percentage of the federal earned income tax credit allowed to that person; providing a limitation; providing duties of the Department of Revenue; providing for transfers from the federal Temporary Assistance to Needy Families program to cover costs of such payments; providing an effective date.

Filed.

By Representative Diaz de la Portilla—

**HB 97-B**—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; providing for a United We Stand license plate; providing for a use fee; directing the Department of Highway Safety and Motor Vehicles to develop a United We Stand license plate; providing for the distribution and use of fees; providing that the license plates shall not be subject to s. 320.08053, F.S.; providing an effective date.

Filed.

By Representative Clarke—

**HB 99-B**—A bill to be entitled An act relating to transferring and reassigning divisions, functions, and responsibilities of the Department of Labor and Employment Security; providing for a type two transfer of the Division of Workers’ Compensation to the Department of Revenue; providing for a type two transfer of workers’ compensation medical services to the Agency for Health Care Administration; providing for a type two transfer of workers’ compensation rehabilitation and reemployment services to the Department of Education; providing for a type two transfer of the administration of child labor laws to the

Department of Business and Professional Regulation; providing for a type two transfer of certain functions of the Office of the Secretary and the Office of Administrative Services of the Department of Labor and Employment Security relating to labor organizations and migrant and farm labor registration to the Department of Business and Professional Regulation; providing for a type two transfer of other workplace regulation functions to the Department of Business and Professional Regulation; providing for the transfer of the Unemployment Appeals Commission to the Agency for Workforce Innovation by a type two transfer; providing for the transfer of the Office of Information Systems to the State Technology Office by a type two transfer; authorizing the Department of Banking and Finance, in conjunction with the Office of the Attorney General, to use unexpended funds to settle certain claims; providing for the continuation of contracts or agreements of the Department of Labor and Employment Security; providing for a successor department, agency, or entity to be substituted for the Department of Labor and Employment Security as a party in interest in pending proceedings; exempting specified state agencies, on a temporary basis, from provisions relating to procurement of property and services and leasing of space; authorizing specified state agencies to develop temporary emergency rules relating to the implementation of this act; amending s. 20.21, F.S.; providing for workers’ compensation responsibilities of the Department of Revenue; amending s. 440.02, F.S.; providing a definition for the term “agency”; conforming definitions of “department” and “division” to the transfer of the Division of Workers’ Compensation; amending ss. 440.102 and 440.125, F.S.; conforming agency references to reflect the transfer of the Division of Workers’ Compensation; amending s. 440.13, F.S., relating to medical services and supplies under the workers’ compensation law; reassigning certain functions from the Division of Workers’ Compensation to the Agency for Health Care Administration; conforming agency references to reflect the transfer of the Division of Workers’ Compensation; amending s. 440.15, F.S.; providing for the agency to participate in the establishment and use of a uniform permanent impairment rating schedule; correcting a cross reference; amending s. 440.207, F.S.; conforming a departmental reference; amending s. 440.385, F.S.; deleting obsolete provisions; conforming departmental references relating to the Florida Self-Insurance Guaranty Association, Inc.; correcting a cross reference; amending s. 440.49, F.S.; reassigning responsibility for a report on the Special Disability Trust Fund to the Department of Revenue; amending s. 440.491, F.S.; conforming references based on the transfer of rehabilitation and reemployment services to the Department of Education; amending s. 440.525, F.S.; conforming agency references to reflect the transfer of programs from the Department of Labor and Employment Security to the Department of Revenue; amending s. 443.012, F.S.; providing for the Unemployment Appeals Commission to be created within the Agency for Workforce Innovation rather than the Department of Labor and Employment Security; conforming provisions; amending s. 443.036, F.S.; conforming the definition of “commission” to the transfer of the Unemployment Appeals Commission to the Agency for Workforce Innovation; amending s. 447.02, F.S.; conforming the definition of “department” to the transfer of the regulation of labor organizations to the Department of Business and Professional Regulation; amending s. 447.305, F.S.; providing that notification of registrations and renewals of registration shall be furnished to the Department of Business and Professional Regulation, to conform; amending s. 450.012, F.S.; conforming the definition of “department” to the transfer of the regulation of child labor to the Department of Business and Professional Regulation; amending s. 450.191, F.S., relating to the duties of the Executive Office of the Governor with respect to migrant labor; conforming provisions to changes made by the act; amending s. 450.28, F.S.; conforming the definition of “department” to the transfer of the regulation of farm labor to the Department of Business and Professional Regulation; amending s. 627.0915, F.S.; conforming departmental references to changes made by the act; amending ss. 110.205, 112.19, 112.191, 121.125, 122.03, 238.06, 440.10, 440.104, and 440.14, F.S., to conform; repealing s. 20.171, F.S., relating to establishment and the authority and organizational structure of the Department of Labor and Employment Security; repealing s. 440.4416, F.S., relating to the Workers’ Compensation Oversight Board; providing for severability; providing an effective date.

Filed.

By Representative Sorensen—

**HB 101-B**—A bill to be entitled An act relating to compensation of state officials and employees; prescribing the salary rate for specified state officials and employees; providing an expiration date and an effective date.

Filed.

**HB 103-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

**HB 105-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

By Representatives Goodlette and Ball—

**HB 107-B**—A bill to be entitled An act relating to the detention of material witnesses; authorizing circuit judges to order the detention of certain material witnesses for a prescribed period of time under specified circumstances; specifying when hearing must be held; providing for right to counsel; providing that requirements relating to detention of certain material witnesses do not abrogate common law; providing that detention of certain material witnesses is not an arrest for purposes of an employment application or application for professional licensure; providing for the future expiration of provisions granting such authority; providing an effective date.

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

Referred to the Committee(s) on Security, Select.

**HB 109-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

**HB 111-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

By Representative Goodlette—

**HB 113-B**—A bill to be entitled An act relating to the Division of Florida Capitol Police; creating s. 943.51, F.S.; creating the Division of Florida Capitol Police within the Department of Law Enforcement; providing powers and duties of the division; creating ss. 943.52 and 943.53, F.S.; providing for investigations and arrests; creating s. 943.54, F.S.; providing for ex officio agents from the department, the Department of Highway Safety and Motor Vehicles, and counties and municipalities under certain circumstances; creating s. 943.55, F.S.; providing for contracts for certain security services with county, municipal, or licensed private security agencies; creating s. 943.56, F.S.; providing for rules; creating s. 943.57, F.S.; providing authority of the department relating to maintenance of the division and uniforms for officers and guards; prohibiting use of a uniform or emblem by an unauthorized person; prohibiting impersonation of officers and guards; providing penalties; creating s. 943.58, F.S.; providing for security of the Governor and certain visitors to the state; requiring the department to provide security and transportation at the request of specified officials under certain circumstances; requiring reports of such services; transferring and renumbering s. 281.301, F.S., relating to confidentiality for information related to certain security systems; transferring the Division of Capitol Police within the Department of Management Services to the Department of Law Enforcement; amending s. 20.201, F.S.; adding the division to the Criminal Justice Investigations and Forensic Science Program in the department; repealing s. 281.02, F.S., relating to powers and duties of the Department of Management Services, Florida Capitol Police; repealing s. 281.03, F.S., relating to investigations by the Florida Capitol Police; repealing s. 281.04, F.S., relating to arrests by agents of department; repealing s. 281.05, F.S., relating to ex officio agents; repealing s. 281.06, F.S., relating to contracts with counties, municipalities, or licensed private security agencies; repealing s. 281.07, F.S., relating to rules governing the Facilities Program of the Florida Capitol Police and traffic regulation; repealing s. 281.08, F.S., relating to equipment;

repealing s. 281.20, F.S., relating to transportation and protective services; amending ss. 287.17 and 288.816, F.S.; conforming cross references; providing an effective date.

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

Referred to the Committee(s) on Security, Select.

**HB 115-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

**HB 117-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

**HB 119-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

**HB 121-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

**HB 123-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

**HB 125-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

By Representatives Gelber, Harrell, Green, Ball, Bullard, and Cusack—

**HB 127-B**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing that cellular telephone numbers of law enforcement officers are exempt from public records requirements; providing a statement of public necessity; providing an effective date.

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

Referred to the Committee(s) on Security, Select.

By Representatives Gelber, Harrell, Green, Ball, Bullard, and Cusack—

**HB 129-B**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing that electronic paging device numbers of law enforcement officers are exempt from public records requirements; providing a statement of public necessity; providing an effective date.

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

Referred to the Committee(s) on Security, Select.

By Representatives Gelber, Green, Ball, and Bullard—

**HB 131-B**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; authorizing a delay in inspection or copying of a public record under limited circumstances; establishing procedures and standards; limiting the applicability of the provision; providing a statement of public necessity; providing an effective date.

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

Referred to the Committee(s) on Security, Select.

**HB 133-B**—Referred to the Committee on Security, Select October 26 and passed earlier today.

By Representative Waters—

**HB 135-B**—A bill to be entitled An act relating to health insurance for persons called to active military duty; amending s. 627.6692, F.S.; specifying that the termination of employment of an employee after a period of active military duty constitutes a separate qualifying event for purposes of allowing the employee to elect to continue coverage under the employer's group health plan; providing for an additional benefits period under certain circumstances; specifying additional separate and distinct qualifying events; providing that the maximum time period for which coverage may be continued under an employer's group health plan for an individual who has elected coverage and who is called to

active military duty shall be tolled for the time that the individual is covered under the federal TRICARE health care program; providing a time period within which the individual may elect to continue coverage under the employer's group health plan after TRICARE coverage terminates; providing an effective date.

Filed.

By Representative Baxley—

**HB 137-B**—A bill to be entitled An act relating to the United States flag; creating s. 256.15, F.S.; providing that it is unlawful to prohibit the display of the flag of the United States; providing a penalty; providing an effective date.

Filed.

By Representatives Alexander, Goodlette, Bense, Attkisson, Brummer, Farkas, Barreiro, Stansel, and Waters—

**HB 139-B**—A bill to be entitled An act relating to the excise tax on aviation fuel; abating the tax imposed by s. 206.9825(1)(a), F.S., for a specified period; creating the Legislative Aviation Fuel Tax Accountability Panel; specifying membership; providing for meetings; providing intent; specifying duties of the panel; providing for a report and recommendations; providing for expiration of the panel; providing an effective date.

Filed.

**HB 141-B**—Read first time by title earlier today.

By Representative Goodlette—

**HB 143-B**—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; providing for a United We Stand license plate; providing for a use fee; directing the Department of Highway Safety and Motor Vehicles to develop a United We Stand license plate; providing for the distribution and use of fees; providing that the license plates shall not be subject to s. 320.08053, F.S.; providing an effective date.

Filed.

**HB 145-B**—Passed earlier today.

By Representatives Spratt, Stansel, and Kendrick—

**HB 147-B**—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 the name, address, and restricted-use license number of any person engaged in the aerial application of pesticides, fertilizers, or seed, the Federal Aviation Administration aircraft registration number of any aircraft used for the aerial application of pesticides, fertilizers, or seed, and the name and address of any person or entity that sells, leases, purchases, rents, or transfers any aircraft used for the aerial application of pesticides, fertilizers, or seed, obtained by the Department of Agriculture and Consumer Services pursuant to specified provisions of Florida Statutes; providing a statement of public necessity; providing for future review and repeal; providing a contingent effective date.

Filed.

By Representative Bullard—

**HB 149-B**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; providing that a portion of said tax collected during a specified period by establishments collecting the transient rentals tax, by public food service establishments collecting tax on the sale of food or beverages, and by cruise ship companies or airlines shall be retained by such establishments and used to promote tourism and retain or rehire employees; providing an effective date.

Filed.

### First Reading of Council and Committee Substitutes by Publication

By the Committee on Colleges & Universities; Representatives Kilmer, Melvin, Baxley, Bense, Stansel, Byrd, Barreiro, Bowen, Ball, Attkisson, Alexander, Murman, Fasano, Crow, Johnson, Haridopoulos, Bilirakis, Wiles, Lynn, Maygarden, Kravitz, Needelman, Dockery, Clarke, Harrell, Cantens, Brummer, Evers, Harrington, and Mahon—

**CS/HB 35-B**—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending ss. 240.40201 and 240.40202, F.S.; revising eligibility requirements; specifying eligibility requirements for students who enter the military service; providing an effective date.

### Reports of Councils and Standing Committees

#### Committee Reports

##### Received October 26:

The Committee on Colleges & Universities recommends a committee substitute for the following:

HB 35-B

**The above committee substitute was placed on the Calendar, subject to review under Rule 6.3, and, under the rule, HB 35-B was laid on the table.**

##### Received October 30:

The Committee on Security, Select recommends the following pass:

HB 103-B, with 1 amendment

HB 105-B, with 2 amendments

HB 109-B, with 3 amendments

HB 111-B, with 1 amendment

HB 115-B, with 3 amendments

HB 117-B, with 1 amendment

HB 119-B

HB 121-B, with 1 amendment

HB 123-B, with 1 amendment

HB 125-B, with 1 amendment

HB 127-B, with 1 amendment

HB 129-B, with 1 amendment

HB 133-B, with 1 amendment

**The above bills were placed on the Calendar.**

#### Excused

Rep. Slosberg

#### Adjournment

On motion by Rep. Byrd, the House adjourned at 6:28 p.m. *sine die*.

#### Votes After Roll Call

Rep. Garcia:

Yeas—motion to admit HB 137-B for introduction outside the purview of the Call

Rep. Harrington:

Yeas—HB 43-B

Rep. Ritter:

Yeas—HB 9-B

Rep. Russell:

Yeas—SB 54-B

Rep. Sobel:

Yeas—HB 125-B

**Disclosure of Interest**

By this letter [dated November 29], I wish to advise you, the Members of the Florida House of Representatives, and the public, that I serve as counsel to the Putnam County School Board. Additionally, I serve as general counsel to the North East Florida Educational Consortium which was given a specific appropriation in SB 2-B which passed from the Florida House of Representatives during Special Session 2001 B as well in HB 1-C during the current Special Session 2001 C.

Although I represent the school board and the North East Florida Educational Consortium, I have been advised by the General Counsel of the Florida House of Representatives that I am required to vote on the acts.

*Rep. Joe H. Pickens  
District 21*

**Cosponsors**

- HB 7-B—Bense
- HB 17-B—Sobel
- HB 21-B—Kottkamp, Mahon
- HB 23-B—Kottkamp, Spratt
- HB 25-B—Mahon
- HB 27-B—Mahon
- HB 29-B—Mahon, Sobel
- CS/HB 35-B—Romeo, Sobel
- HB 37-B—Mahon
- HB 43-B—Mahon

- HB 51-B—Needelman
- HB 57-B—Sobel
- HB 61-B—Sobel
- HB 67-B—Needelman, Sobel
- HB 69-B—Sobel
- HB 71-B—Sobel, Spratt
- HB 77-B—Harrell, Needelman, Sobel
- HB 81-B—Jennings
- HB 103-B—Needelman
- HB 105-B—Needelman, Sobel
- HB 109-B—Needelman, Sobel
- HB 111-B—Needelman
- HB 115-B—Needelman, Sobel
- HB 117-B—Needelman, Sobel
- HB 121-B—Sobel
- HB 123-B—Needelman, Sobel
- HB 125-B—Sobel
- HB 127-B—Sobel
- HB 129-B—Sobel
- HB 137-B—Needelman
- HB 147-B—Sobel

**Withdrawals as Cosponsor**

- HB 121-B—Harrell
- HB 123-B—Harrell
- HB 125-B—Harrell
- HB 127-B—Harrell
- HB 133-B—Harrell

CERTIFICATE

THIS IS TO CERTIFY that the foregoing pages numbered 1 through 51, inclusive, are and constitute a complete, true, and correct journal and record of the proceedings of the House of Representatives of the State of Florida at a Special Session of the 80th House since Statehood in 1845, convened under the Constitution, held October 22 through October 30, 2001.

Clerk of the House

Tallahassee, Florida  
November 29, 2001