



# The Journal OF THE House of Representatives

THIRD SPECIAL SESSION—"C" of 2000-2002

Number 7

Wednesday, December 5, 2001

The House was called to order by the Speaker at 10:00 a.m.

## Prayer

The following prayer was offered by the Honorable Curtis B. Richardson:

Dear Heavenly Father, we come before You this morning, Your humble servants, with bowed heads and humbled hearts.

We want to thank You, dear Heavenly Father, for watching over us as we slumbered and slept through the night, and awakening us this morning, dear Heavenly Father, with a reasonable portion of health and strength, allowing us to see a new day, dear Heavenly Father, that we have never seen before and that we will never see again. We want to thank You, dear Heavenly Father, for giving us the opportunity to experience through our senses the beauty of Your creation here on earth.

And Father, we ask You for Your continued blessings of each and every one of us here that are assembled this morning. We ask, dear Heavenly Father, that You would make Your presence known in this place, that You would touch every heart assembled, that You would touch every mind, and allow us to make decisions that are in the best interest of the citizens of the state of Florida. Those decisions that are pleasing in Your sight, Lord.

We ask Your continued blessings upon the families that are represented here. We ask, dear Heavenly Father, that You would give us the strength, and the courage, and the wisdom to lead this state during the perilous times that we find ourselves, dear Lord. We acknowledge that You are in charge, Father; that we can do everything with You, and without You, nothing is possible.

Father, we give You the praise, the honor, and the glory. We magnify Your name this morning, dear Heavenly Father, and ask that You would continue to be with each and every one of us.

We ask Your blessings upon the leadership of this House. Bless them and give them strength and courage and wisdom to lead this body of individuals. And Father, we ask for Your blessings upon our Governor and the leadership of this country so that they would lead us in a direction that is pleasing in Your sight. Especially during these times that we find ourselves and our country is at war and our economy is in the condition that it's in.

Father, let the words of my mouth and the meditation of my heart be acceptable in Thy sight, my Lord, my strength and my redeemer. And the people of the Lord said, Amen.

The following Members were recorded present:

Session Vote Sequence: 662

The Chair	Clarke	Hogan	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	Gardiner	Lerner	Sobel
Benson	Gelber	Littlefield	Sorensen
Berfield	Gibson	Lynn	Spratt
Betancourt	Goodlette	Machek	Stansel
Bilirakis	Gottlieb	Mack	Trovillion
Bowen	Green	Mahon	Wallace
Brown	Greenstein	Mayfield	Waters
Brummer	Haridopolos	Maygarden	Weissman
Brutus	Harper	McGriff	Wiles
Bucher	Harrell	Meadows	Wilson
Bullard	Harrington	Mealor	Wishner
Byrd	Hart	Melvin	
Cantens	Henriquez	Murman	
Carassas	Heyman	Needelman	

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

A quorum was present.

## Moment of Silence

The House observed a moment of silence in memory of Sam Slosberg, father of Rep. Slosberg, and for Rep. Slosberg, his mother, and the rest of their family.

## Pledge

The Members, led by the Honorable Joyce Cusack, pledged allegiance to the Flag.

## Correction of the *Journal*

The *Journals* of November 30, December 3, and December 4 were corrected and approved as corrected.

## Introduction and Reference

**HB 97-C**, having been ruled to be inside the purview of the Call, was referred to the Committee on Workforce & Technical Skills and the Council for Competitive Commerce.

Rep. Rich moved that **HB 7-C** 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 7-C** was not admitted for introduction.

## Messages from the Senate

*The Honorable Tom Feeney, Speaker*

I am directed to inform the House of Representatives that the Senate has passed HB 65-C, with amendments, by the required Constitutional three-fifths vote of the members of the Senate and requests the concurrence of the House.

*Faye W. Blanton, Secretary*

**HB 65-C**—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.

(Amendment Bar Code: 115190)

**Senate Amendment 1 (with title amendment)**—Delete everything after the enacting clause

and insert:

Section 1. Section 25.402, Florida Statutes, is amended to read:

25.402 County Article V Trust Fund.—

(1)(a) The trust fund moneys in the County Article V Trust Fund, administered by the Supreme Court, may be used to compensate counties for the costs they incur under Article V of the State Constitution in operating the state courts system, including the costs they incur in providing and maintaining court facilities.

(b) *When the Legislature appropriates moneys from the trust fund to compensate counties*, the Supreme Court ~~must~~ *shall* adopt an allocation and disbursement plan for the operation of the trust fund and the expenditure of moneys deposited in the trust fund. The Supreme Court shall include the plan in its legislative budget request. A committee of 15 people shall develop and recommend the allocation and disbursement plan to the Supreme Court. The committee shall be composed of:

1. Six persons appointed by the Florida Association of Counties, as follows:

a. Two persons residing in counties with populations fewer than 90,000.

b. Two persons residing in counties with populations greater than 89,999, but fewer than 700,000.

c. Two persons residing in counties with populations greater than 699,999.

2. Six persons appointed by the Chief Justice of the Supreme Court, as follows:

a. Two persons residing in counties with populations fewer than 90,000.

b. Two persons residing in counties with populations greater than 89,999, but fewer than 700,000.

c. Two persons residing in counties with populations greater than 699,999.

3. Three persons appointed by the Florida Association of Court Clerks and Comptrollers, as follows:

a. One person residing in a county with a population fewer than 90,000.

b. One person residing in a county with a population greater than 89,999, but fewer than 700,000.

c. One person residing in a county with a population greater than 699,999.

The allocation and disbursement plan shall include provisions to compensate counties with fewer than 90,000 residents for court facility needs.

(c) Amendments to the approved operating budget for expenditures from the County Article V Trust Fund must be approved in accordance with the provisions of s. 216.181. The total amount disbursed from the County Article V Trust Fund may not exceed the amount authorized by the General Appropriations Act.

(d) Effective July 1, 2001, moneys generated from civil penalties distributed under s. 318.21(2)(h) shall be deposited in the trust fund *and may be used* for the following purposes:

1. Funds paid to counties with populations fewer than 90,000 shall be grants-in-aid to be used, in priority order, for: operating expenditures of the offices of the state attorneys and public defenders in accordance with Specific Appropriation 2978B; consulting or architectural studies related to the improvement of courthouse facilities; improving court facilities to ensure compliance with the Americans with Disabilities Act and other federal or state requirements; other renovations in court facilities; improvements in court security; and expert witness fees in criminal cases, court reporting and transcribing costs in criminal cases, and costs associated with the appointment of special public defenders.

2. Funds paid to counties with populations exceeding 89,999 shall be grants-in-aid to be used, in priority order, for operating expenditures of the offices of the state attorneys and public defenders in accordance with Specific Appropriation 2978B, costs paid by the county for expert witness fees in criminal cases, court reporting and transcribing costs in criminal cases, and costs associated with the appointment of special public defenders.

3. *Funds may be appropriated for the operation of trial courts.*

(2) This section expires June 30, 2002.

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause

and insert: A bill to be entitled An act relating to the County Article V Trust Fund; amending s. 25.402, F.S.; clarifying duties of the Supreme Court with respect to use of the fund; allowing the use of funds for the operation of trial courts; providing an effective date.

On motion by Rep. Ball, the House concurred in Senate Amendment 1. The question recurred on the passage of HB 65-C. The vote was:

Session Vote Sequence: 663

Yeas—117

The Chair	Ausley	Bennett	Brummer
Alexander	Baker	Bense	Brutus
Allen	Ball	Benson	Bucher
Andrews	Barreiro	Berfield	Bullard
Argenziano	Baxley	Betancourt	Byrd
Arza	Bean	Bowen	Cantens
Attkisson	Bendross-Mindingall	Brown	Carassas

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

Nays—None

Votes after roll call:  
Yeas—Atwater

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

## Reports of Councils and Standing Committees

### Reports of the Procedural & Redistricting Council

*The Honorable Tom Feeney* December 4, 2001  
*Speaker, House of Representatives*

*Mr. Speaker:*

Your Procedural & Redistricting Council herewith submits as Special Orders for Wednesday, December 5, 2001. Consideration of the House Bills on Special Orders shall include the Senate Companion Measures on the House Calendar.

- I. Consideration of the following bill(s):
  - SB 6-C—Brown-Waite  
Terrorism/Pretrial Detention
  - SB 8-C—Brown-Waite  
Sentencing/Act of Terrorism
  - CS/SB 10-C—Brown-Waite  
Poisoning
  - SB 12-C—Brown-Waite  
Communications Interception
  - CS/SB 14-C—Geller  
Agric. & Consumer Services Dept.
  - CS/SB 16-C—Brown-Waite  
Public Records/Security-system Plan
  - CS/SB 18-C—Brown-Waite  
Public Records/Emergency-management
  - CS/SB 20-C—Brown-Waite  
Public Records/Pharmaceutical
  - CS/SB 22-C—Brown-Waite  
Public Records/Law Enforcement
  - SB 24-C—Crist  
Domestic Security/Counter-terrorism
  - SB 26-C—Crist  
Domestic Security/Counter-terrorism
  - SB 32-C—Clary  
Vessel Registration Fees
  - SB 34-C—Cowan  
Pilot Program/Attorneys Ad Litem

HB 23-C—Maygarden  
Intangible Personal Property Taxes  
SB 44-C—Pruitt  
Intangible Property Tax  
(Special Rule 01-02C)  
SB 30-C—Carlton  
Compensation of Legislative Members

A quorum of the Council was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,  
*Johnnie B. Byrd, Jr.*  
Chair

On motion by Rep. Byrd, the above report was adopted.

*The Honorable Tom Feeney* December 4, 2001  
*Speaker, House of Representatives*

*Dear Mr. Speaker:*

Your Procedural & Redistricting Council herewith submits the following Special Rule report:

- I. Special Rule 01-02C covers consideration of the bill on both second and third readings and includes a closed condition for consideration of amendments.

SB 44-C—Pruitt  
Intangible Property Tax  
(Closed)

A quorum of the Council was present in person, and two-thirds of those present agreed to the above Report.

Respectfully submitted,  
*Johnnie B. Byrd, Jr.*  
Chair

### Special Rule 01-02C

Bill(s): SB 44-C by Sen. Pruitt & others, relating to Intangible Property Tax

Summary: The Special Rule covers consideration of the bill on both second and third readings and includes a closed condition for consideration of amendments.

*Amendments:*

_____	Open
_____	Structured
<u>  X  </u>	Closed

Except for the closed condition of amendments, floor action on both second and third readings shall proceed in accordance with, and be governed by the Rules of the House of Representatives.

On motion by Rep. Byrd, the above special rule report was adopted. The vote was:

Session Vote Sequence: 664

Yeas—80

The Chair	Bense	Diaz de la Portilla	Harrell
Alexander	Benson	Diaz-Balart	Harrington
Allen	Berfield	Dockery	Hart
Andrews	Bilirakis	Evers	Hogan
Argenziano	Bowen	Farkas	Johnson
Arza	Brown	Fasano	Jordan
Attkisson	Brummer	Fiorentino	Kallinger
Atwater	Byrd	Flanagan	Kendrick
Baker	Cantens	Garcia	Kilmer
Ball	Carassas	Gardiner	Kottkamp
Barreiro	Clarke	Gibson	Kravitz
Baxley	Crow	Goodlette	Kyle
Bean	Davis	Green	Lacasa
Bennett	Detert	Haridopolos	Littlefield

Lynn	Melvin	Prieguez	Sorensen
Mack	Murman	Ritter	Spratt
Mahon	Needelman	Ross	Stansel
Mayfield	Negron	Rubio	Trovillion
Maygarden	Paul	Russell	Wallace
Mealor	Pickens	Simmons	Waters

Nays—39

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

Special Orders

**SB 6-C**—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; amending s. 907.041, F.S.; providing for pretrial detention of persons charged with an act of terrorism; providing an effective date.

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

Session Vote Sequence: 665

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	Kendrick	Ross
Ball	Fasano	Kilmer	Rubio
Barreiro	Fields	Kosmas	Russell
Baxley	Fiorentino	Kottkamp	Ryan
Bean	Flanagan	Kravitz	Seiler
Bendross-Mindingall	Frankel	Kyle	Simmons
Bennett	Gannon	Lacasa	Siplin
Bense	Garcia	Lee	Smith
Benson	Gardiner	Lerner	Sobel
Berfield	Gelber	Littlefield	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—Lynn

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

Rep. Goodlette suggested the absence of a quorum. A quorum was present [Session Vote Sequence: 666 ].

**SB 8-C**—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 second time by title. On motion by Rep. Goodlette, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 667

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.

**CS for SB 10-C**—A bill to be entitled An act relating to poisoning; amending s. 859.01, F.S.; prohibiting the introduction or addition of any poison, or the introduction, addition, or mingling of any bacterium, radioactive material, virus, chemical compound, or specified products 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 second time by title. On motion by Rep. Goodlette, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 668

Yeas—119

The Chair	Allen	Argenziano	Attkisson
Alexander	Andrews	Arza	Atwater

Ausley	Diaz-Balart	Johnson	Paul	Kilmer	Mayfield	Rich	Sorensen
Baker	Dockery	Jordan	Peterman	Kosmas	Maygarden	Richardson	Spratt
Ball	Evers	Joyner	Pickens	Kottkamp	McGriff	Ritter	Stansel
Barreiro	Farkas	Justice	Prieguez	Kravitz	Meadows	Romeo	Trovillion
Baxley	Fasano	Kallinger	Rich	Lacasa	Mealor	Ross	Wallace
Bean	Fields	Kendrick	Richardson	Lacasa	Melvin	Rubio	Waters
Bendross-Mindingall	Fiorentino	Kilmer	Ritter	Lee	Murman	Russell	Weissman
Bennett	Flanagan	Kosmas	Romeo	Lerner	Needelman	Ryan	Wiles
Bense	Frankel	Kottkamp	Ross	Littlefield	Negron	Seiler	Wilson
Benson	Gannon	Kravitz	Rubio	Lynn	Paul	Simmons	Wishner
Berfield	Garcia	Kyle	Russell	Machek	Peterman	Siplin	
Betancourt	Gardiner	Lacasa	Ryan	Mack	Pickens	Smith	
Bilirakis	Gelber	Lee	Seiler	Mahon	Prieguez	Sobel	
Bowen	Gibson	Lerner	Simmons				
Brown	Goodlette	Littlefield	Siplin	Nays—1			
Brummer	Gottlieb	Lynn	Smith	Gannon			
Brutus	Green	Machek	Sobel				
Bucher	Greenstein	Mack	Sorensen				
Bullard	Haridopolos	Mahon	Spratt				
Byrd	Harper	Mayfield	Stansel				
Cantens	Harrell	Maygarden	Trovillion				
Carassas	Harrington	McGriff	Wallace				
Clarke	Hart	Meadows	Waters				
Crow	Henriquez	Mealor	Weissman				
Cusack	Heyman	Melvin	Wiles				
Davis	Hogan	Murman	Wilson				
Detert	Holloway	Needelman	Wishner				
Diaz de la Portilla	Jennings	Negron					

Nays—None

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

**SB 12-C**—A bill to be entitled An act relating to the interception of communications; amending s. 934.07, F.S.; adding aircraft piracy to the list of crimes for which interception of communications may be authorized; adding solicitation to commit certain offenses to the list of crimes for which interception of communications may be authorized; authorizing application for interception 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 second time by title. On motion by Rep. Gelber, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 669

Yeas—117

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

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

Nays—1

Gannon

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

**CS for SB 14-C**—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 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 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; directing the review of the cost impact of aerial application of pesticides; providing an effective date.

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

Session Vote Sequence: 670

Yeas—119

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

Trovillion Waters Wiles Wishner  
Wallace Weissman Wilson

Session Vote Sequence: 672

Nays—None

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

**CS for SB 16-C**—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; creating s. 286.0113, F.S.; providing an exemption from public-meeting requirements for those portions of any meeting which would reveal a security-system plan or portion thereof which is confidential and exempt under this act; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

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

Session Vote Sequence: 671

Yeas—115

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	Garcia	Lacasa	Simmons
Bennett	Gardiner	Lee	Siplin
Bense	Gelber	Lerner	Smith
Benson	Gibson	Littlefield	Sobel
Berfield	Goodlette	Lynn	Sorensen
Betancourt	Gottlieb	Machek	Spratt
Bilirakis	Green	Mack	Stansel
Bowen	Greenstein	Mahon	Trovillion
Brown	Haridopolos	Maygarden	Wallace
Brutus	Harper	McGriff	Waters
Bucher	Harrell	Meadows	Weissman
Bullard	Harrington	Mealor	Wiles
Byrd	Hart	Melvin	Wilson
Cantens	Henriquez	Murman	Wishner
Clarke	Heyman	Needelman	

Nays—3

Brummer Carassas Gannon

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

**CS for SB 18-C**—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 addresses the response of a public or private hospital to an act of terrorism; creating an exemption for those portions of a comprehensive emergency-management plan which address the response of a public hospital to an act of terrorism; 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; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

Yeas—116

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	Garcia	Lacasa	Simmons
Bense	Gardiner	Lee	Siplin
Benson	Gelber	Lerner	Smith
Berfield	Gibson	Littlefield	Sobel
Betancourt	Goodlette	Lynn	Sorensen
Bilirakis	Gottlieb	Machek	Spratt
Bowen	Green	Mack	Stansel
Brown	Greenstein	Mahon	Trovillion
Brummer	Haridopolos	Maygarden	Wallace
Brutus	Harper	McGriff	Waters
Bucher	Harrell	Meadows	Weissman
Bullard	Harrington	Mealor	Wiles
Byrd	Hart	Melvin	Wilson
Cantens	Henriquez	Murman	Wishner

Nays—2

Carassas Gannon

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

**CS for SB 20-C**—A bill to be entitled An act relating to public records; providing that any information identifying or describing the name, location, pharmaceutical cache, contents, capacity, equipment, physical features, or capabilities of individual medical facilities, storage facilities, or laboratories established, maintained, or regulated by the Department of Health in response to an act of terrorism are exempt from public-records requirements; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

Session Vote Sequence: 673

Yeas—116

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

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

Nays—2

Carassas Gannon

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

**CS for SB 22-C**—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 for future repeal and review; providing a statement of public necessity; providing an effective date.

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

Session Vote Sequence: 674

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
Bowen	Greenstein	Mayfield	Wallace
Brown	Haridopolos	Maygarden	Waters
Brummer	Harper	McGriff	Weissman
Brutus	Harrell	Meadows	Wiles
Bucher	Harrington	Mealor	Wilson
Bullard	Hart	Melvin	Wishner
Byrd	Henriquez	Murman	
Cantens	Heyman	Needelman	
Clarke	Hogan	Negron	

Nays—2

Carassas Gannon

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

**SB 24-C**—A bill to be entitled An act relating to domestic security; 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. 943.0310, F.S.; providing legislative intent with respect to counter-terrorism efforts and initial responses to acts of terrorism within or affecting this state; 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 purposes of the Florida Criminal Code; providing an effective date.

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

Session Vote Sequence: 675

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.

**SB 26-C**—A bill to be entitled An act relating to domestic security; creating s. 775.30, F.S.; defining the term “terrorism” for purposes of the Florida 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.

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

Session Vote Sequence: 676

Yeas—115

The Chair	Carassas	Henriquez	Murman
Alexander	Clarke	Heyman	Needelman
Allen	Crow	Hogan	Negron
Andrews	Cusack	Holloway	Paul
Argenziano	Davis	Jennings	Peterman
Arza	Detert	Johnson	Pickens
Attkisson	Diaz de la Portilla	Joyner	Rich
Atwater	Diaz-Balart	Justice	Richardson
Ausley	Dockery	Kallinger	Ritter
Baker	Evers	Kendrick	Romeo
Ball	Farkas	Kilmer	Ross
Barreiro	Fasano	Kosmas	Rubio
Baxley	Fields	Kottkamp	Russell
Bean	Fiorentino	Kravitz	Ryan
Bendross-Mindingall	Flanagan	Kyle	Seiler
Bennett	Frankel	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	Weissman
Bucher	Harper	McGriff	Wiles
Bullard	Harrell	Meadows	Wilson
Byrd	Harrington	Mealor	Wishner
Cantens	Hart	Melvin	

Nays—1

Gannon

Votes after roll call:

Yeas—Prieguez, Waters

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

**SB 32-C**—A bill to be entitled An act relating to vessel registration fees; amending s. 328.72, F.S.; specifying source of the county portion of vessel registration fees; providing for the return of certain vessel registration fees to the vessel owner’s county of Florida residence; amending s. 328.76, F.S.; clarifying provisions relating to distribution and uses of funds in the Marine Resources Conservation Trust Fund; providing an effective date.

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

Session Vote Sequence: 677

Yeas—108

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

Nays—4

Bean	Kendrick	Pickens	Stansel
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Votes after roll call:

Yeas—Andrews, Evers, Flanagan

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

**SB 34-C**—A bill to be entitled An act relating to the pilot program for attorneys ad litem for dependent children; amending s. 39.4086, F.S.; providing that the program be funded according to specific appropriation; providing an effective date.

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

Session Vote Sequence: 678

Yeas—106

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

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

Nays—1

Bense

Votes after roll call:

Yeas—Alexander, Evers, Fields, Justice, Prieguez, Spratt, Waters

Nays to Yeas—Bense

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

**HB 23-C**—A bill to be entitled An act relating to intangible personal property taxes; repealing ss. 199.032, 199.033, 199.042, 199.052, 199.057, 199.062, 199.103, 199.1055, 199.106, 199.175, and 199.185, F.S., which impose an annual tax on intangible personal property and provide for the administration and collection thereof, effective January 1, 2004; amending s. 199.012, F.S.; revising the short title of chapter 199, F.S.; amending s. 199.023, F.S.; eliminating definitions; amending ss. 199.133, 199.183, 199.218, 199.232, 199.282, and 199.292, F.S., relating to levy of the nonrecurring tax, exemptions, records, departmental powers, penalties, and disposition of tax revenues, to remove references to the annual tax; amending ss. 192.091, 196.199, 196.1993, 201.23, 212.02, 213.053, 213.054, 213.27, 213.31, 215.555, 220.1845, 288.039, 288.1045, 288.106, 288.1066, 376.30781, 650.05, and 655.071, F.S., to conform; repealing ss. 192.032(5), 192.042(3), 193.114(4), 196.015(9), 607.1622(1)(g), and 733.702(5), F.S., relating to assessment of intangible personal property, the intangible personal property tax roll, filing of intangible tax returns as a factor in determining residency, intangible tax liability information in a corporation's annual report, and authority of the Department of Revenue to file a claim against a decedent's estate for intangible taxes due; amending s. 192.0105, F.S.; correcting a reference; providing authority for the assessment and collection of tax imposed under chapter 199, F.S., prior to January 1, 2004; providing for emergency rules; providing effective dates.

—was read the second time by title.

Representative(s) Simmons offered the following:

(Amendment Bar Code: 544951)

**Amendment 1 (with title amendment)**—On page 2, line 9,

insert:

Section 1. *It is the intent of the Legislature that the annual intangible personal property tax be ultimately eliminated as a tax in this state. Through a series of amendments to chapter 199, Florida Statutes, the Legislature has consistently reduced the burden of the tax upon the citizens of this state. In order to effectuate the Legislature's intent to accomplish the goal over a period of time, but in the meantime to protect those elderly, disabled, and financially disadvantaged individuals in this state who cannot afford such a tax, the Legislature desires to provide for a method to exempt such individuals from the tax completely.*

Section 2. Effective December 31, 2001, but if this act becomes a law after December 31, 2001, operating retroactively to December 31, 2001:

(1) Subsection (2) of section 199.185, Florida Statutes, is amended to read:

199.185 Property exempted from annual and nonrecurring taxes.—

(2)(a) *Except as provided in paragraph (b), every natural person is entitled each year to an exemption of the first \$20,000 of the value of*

property otherwise subject to the annual tax. A husband and wife filing jointly shall have an exemption of \$40,000 of the value of property otherwise subject to the annual tax.

(b) *Every natural person whose annual household total gross income, as defined under the United States Internal Revenue Code, is less than \$14,500 in a tax year shall be exempt from payment of the annual tax that year. A husband and wife filing a joint return whose combined total gross income, as defined under the United States Internal Revenue Code, is less than \$29,000 in a tax year shall be exempt from payment of the annual tax that year.*

Agents and fiduciaries, other than guardians and custodians under a gifts-to-minors act, filing as such may not claim this exemption on behalf of their principals or beneficiaries; however, if the principal or beneficiary returns the property held by the agent or fiduciary and is a natural person, the principal or beneficiary may claim the exemption. No taxpayer shall be entitled to more than one exemption under this subsection. This exemption shall not apply to that intangible personal property described in s. 199.023(1)(d).

(2) *Section 1 of chapter 2001-225, Laws of Florida, is repealed.*

And the title is amended as follows:

On page 1, line 3, after the semicolon,

insert: providing legislative intent; amending s. 199.185, F.S.; exempting certain natural persons from payment of the annual tax; repealing s. 1, ch. 2001-225, Laws of Florida, relating to exempt values of property subject to the annual tax;

Rep. Simmons moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

THE SPEAKER PRO TEMPORE IN THE CHAIR

Rep. Maygarden moved to waive the rules and read HB 23-C the third time by title, which was not agreed to by the required two-thirds vote.

The vote was:

Session Vote Sequence: 679

Yeas—78

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

Nays—40

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

McGriff	Richardson	Seiler	Weissman
Meadows	Ritter	Siplin	Wiles
Peterman	Romeo	Smith	Wilson
Rich	Ryan	Sobel	Wishner

Alexander, Gibson, Brummer, Melvin, Kendrick, Allen, Carassas, Negron, Bullard, Holloway, Meador, Simmons, Baker, Kallinger, Bense, Russell, Garcia, Richardson, Justice, Romeo, Stansel, and Peterman—

Votes after roll call:

Yeas—Bowen

Under Rule 10.13(b), the bill was referred to the Engrossing Clerk.

**SB 44-C**—A bill to be entitled An act relating to the tax on intangible property; amending s. 199.185, F.S.; postponing the increase in exemptions under the tax on intangible property; authorizing the Department of Revenue to adopt emergency rules; providing an effective date.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

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

Session Vote Sequence: 680

Yeas—102

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

Nays—17

The Chair	Byrd	Kallinger	Negron
Baker	Dockery	Kottkamp	Wallace
Bense	Fasano	Kyle	
Brown	Haridopolos	Mack	
Brummer	Hart	Mayfield	

Votes after roll call:

Yeas to Nays—Kilmer

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

Consideration of HB 99-C

On motion by Rep. Fiorentino, the House agreed to take up HB 99-C for consideration.

By Representatives Fiorentino, Lynn, Fasano, Diaz de la Portilla, Kilmer, Evers, Baxley, Arza, Argenziano, Bilirakis, Kravitz, Bean, Davis, Pickens, Detert, Crow, Green, Hogan, Jordan, Mahon, Dockery,

**HB 99-C**—A bill to be entitled An act relating to public school funding; authorizing equalized nonvoted capital improvement millage to be expended for operations in fiscal year 2001-2002; providing for the use of other funds; providing for repeal; providing an effective date.

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

Representative(s) Fiorentino offered the following:

(Amendment Bar Code: 104821)

**Amendment 1 (with title amendment)**—On page 2, between lines 6 & 7,

insert:

*(c) There is hereby appropriated the sum of \$15,114,077 from unbudgeted educational enhancement trust funds to provide equalized \$125 per full-time equivalent student as provided in (1)(b).*

And the title is amended as follows:

On page 1, line 6, after the semicolon,

insert: providing an appropriation;

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

On motion by Rep. Fiorentino, the rules were waived and HB 99-C, as amended, was read the third time by title. On passage, the vote was:

Session Vote Sequence: 681

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	Kendrick	Ross
Ball	Fasano	Kilmer	Rubio
Barreiro	Fields	Kosmas	Russell
Baxley	Fiorentino	Kottkamp	Ryan
Bean	Flanagan	Kravitz	Seiler
Bendross-Mindingall	Frankel	Kyle	Simmons
Bennett	Gannon	Lacasa	Siplin
Bense	Garcia	Lee	Smith
Benson	Gardiner	Lerner	Sobel
Berfield	Gelber	Littlefield	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	Meador	Wilson
Byrd	Harrington	Melvin	Wishner
Cantens	Hart	Murman	
Carassas	Henriquez	Needelman	

Nays—None

Votes after roll call:

Yeas—Lynn

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

**SB 30-C**—A bill to be entitled An act relating to compensation of members of the Legislature; prescribing the salary rate for members; providing an expiration date and an effective date.

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

Session Vote Sequence: 682

Yeas—110

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

Nays—6

Alexander	Harper	Richardson	Smith
Gannon	Holloway		

Votes after roll call:

Yeas—Bendross-Mindingall, Mealor

Yeas to Nays—Argenziano, Kallinger

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

Rep. Bennett moved that **HB 77-C** 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 77-C** was not admitted for introduction.

Rep. Byrd moved that **HM 15-C** 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 Representatives Allen, Needelman, Bilirakis, Carassas, Hogan, and Jordan—

**HM 15-C**—A memorial to the Congress of the United States, urging Congress to pass the “Retired Pay Restoration Act of 2001,” which permits retired members of the United States Armed Forces with service-connected disabilities to be paid both military retirement pay and veterans’ disability compensation.

WHEREAS, veterans of United States Armed Services live with an injustice every day that has long needed correction, and

WHEREAS, that injustice is an inequity in existing law which precludes career military personnel who have become disabled while serving in the military from receiving both retirement pension benefits and disability pension benefits, and

WHEREAS, unfortunately, an outdated law passed in 1891 continues to penalize the very men and women who least deserve such treatment: the men and women of the United States Armed Forces who have served their country with careers of more than twenty years and have incurred permanent disability in doing so, and

WHEREAS, the Retired Pay Restoration Act of 2001, currently before the 107th Congress, addresses and corrects this 110-year-old inequity for more than 560,000 of our nation’s veterans, and

WHEREAS, it has long been argued that retirement pension benefits and service-connected disability pension benefits are two separate and distinct classes of compensation, one awarded for making a career of federal public service, the other to redress debilitating, enduring injuries caused by the rigors of military life, and

WHEREAS, yet under the law as it currently exists, veterans of military service are the only group of federal retirees who must waive a portion of their retirement pay in order to receive Veterans Administration disability compensation, and

WHEREAS, currently before Congress is legislation that will remedy this inequity, the Retired Pay Restoration Act of 2001, S. 170 and H.R. 303, which will permit retired members of the United States Armed Services who also have a service-connected disability to receive both military retirement pay and disability compensation, simultaneously, and

WHEREAS, this legislation has the strong support of many military and nonmilitary veterans service organizations and bipartisan support in Congress, with 64 cosponsors for S. 170 and 300 cosponsors for H.R. 303, and

WHEREAS, with the passage of the Retired Pay Restoration Act of 2001, Congress would put an end to a grossly unfair practice of penalizing retired, disabled American servicemen and servicewomen, and

WHEREAS, today our armed forces are struggling to meet even modest recruiting goals and having even more difficulty retaining qualified men and women to serve in the armed forces, and

WHEREAS, it is therefore a matter of national interest that the Federal Government reform existing law in such a manner that young Americans will be attracted to career service in the nation’s military, and

WHEREAS, even more important to the passage of this legislation is the fact that every day in America 1,000 veterans of World War II die, many of whom would benefit from the passage of the Retired Pay Restoration Act of 2001, and

WHEREAS, it is for these reasons that the 107th Congress needs to address this legislation in 2001, thus bringing to an end the indefensible practice of forcing brave men and women who have fought for our country and are disabled as a result of their service to choose between retirement pay and disability compensation, NOW, THEREFORE,

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

That the Congress of the United States is requested to pass H.R. 303 and S. 170, the “Retired Pay Restoration Act of 2001,” which permits retired members of the United States Armed Forces with service-connected disabilities to be paid both military retirement pay and veterans’ disability compensation.

BE IT FURTHER RESOLVED that copies of this memorial be sent to the President of the United States, the President of the United States

Senate, the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the first time. On motion by Rep. Allen, the rules were waived and the memorial was read the second time by title and adopted. Under the rule, the memorial was immediately certified to the Senate.

**Reconsideration**

On motion by Rep. Bense, the House reconsidered the vote by which the motion that **HB 77-C** be admitted for introduction failed of adoption.

The question recurred on the motion that **HB 77-C** be admitted for introduction, the Speaker having ruled the measure was outside the purview of the Call.

The motion was agreed to by the constitutional two-thirds vote. The vote was:

Session Vote Sequence: 683

Yeas—88

The Chair	Byrd	Harper	Melvin
Alexander	Cantens	Harrell	Murman
Allen	Carassas	Harrington	Needelman
Andrews	Clarke	Hart	Negron
Argenziano	Crow	Hogan	Paul
Arza	Davis	Jennings	Pickens
Attkisson	Detert	Johnson	Prieguez
Atwater	Diaz de la Portilla	Jordan	Richardson
Ausley	Diaz-Balart	Kallinger	Ross
Baker	Dockery	Kendrick	Rubio
Ball	Evers	Kilmer	Russell
Barreiro	Farkas	Kosmas	Ryan
Bean	Fasano	Kravitz	Seiler
Bennett	Fiorentino	Lacasa	Simmons
Bense	Flanagan	Lee	Siplin
Benson	Garcia	Lerner	Sobel
Berfield	Gardiner	Littlefield	Sorensen
Betancourt	Gelber	Mack	Spratt
Bilirakis	Gibson	Mahon	Stansel
Bowen	Goodlette	Mayfield	Wallace
Brown	Greenstein	Maygarden	Waters
Brunner	Haridopolos	Meadows	Wiles

Nays—28

Baxley	Frankel	Joyner	Rich
Bendross-Mindingall	Gannon	Justice	Ritter
Brutus	Gottlieb	Kottkamp	Romeo
Bucher	Green	Machek	Smith
Bullard	Henriquez	McGriff	Trovillion
Cusack	Heyman	Mealor	Weissman
Fields	Holloway	Peterman	Wishner

Votes after roll call:

- Yeas—Lynn
- Nays—Wilson
- Nays to Yeas—Henriquez

By Representatives Bennett, Greenstein, and Henriquez—

**HB 77-C**—A bill to be entitled An act relating to the Florida Building Code; amending s. 553.415, F.S.; delaying the date for inclusion of the Uniform Code for Public Educational Facilities in the Florida Building Code; providing an effective date for the Florida Building Code; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; delaying the amendment, repeal, and transfer and renumbering of specified sections of the Florida Statutes; amending s. 627.0629, F.S.; delaying a deadline by which insurance companies are required to make certain rate filings; providing for the adoption of an administrative rule; providing for the treatment of permit applications submitted before the effective date of the code; requiring local jurisdictions to enact ordinances establishing wind speed

lines; requiring the Florida Building Commission to establish such lines under certain circumstances; providing an effective date.

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

On motion by Rep. Bennett—

**SB 52-C**—A bill to be entitled An act relating to the Florida Building Code; amending s. 553.415, F.S.; delaying the date for inclusion of the Uniform Code for Public Education Facilities in the Florida Building Code; providing an effective date for the Florida Building Code; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; delaying the amendment, repeal, and transfer and renumbering of specified sections of the Florida Statutes; amending s. 627.0629, F.S.; delaying a deadline by which insurance companies are required to make certain rate filings; providing for the adoption of an administrative rule; providing for the treatment of permit applications submitted before the effective date of the code; requiring local jurisdictions to enact ordinances establishing wind speed lines; requiring that the Department of Community Affairs adopt an emergency rule under certain circumstances; specifying the effective date of the residential swimming pool safety requirements of the Florida Building Code; amending s. 468.609, F.S.; extending the deadline to apply for a limited certificate as a building code administrator, plans examiner, or inspector; expanding the list of eligible persons who may apply for the certificate; providing an effective date.

—was substituted for HB 77-C and read the second time by title. Under Rule 5.15, the House bill was laid on the table.

On motion by Rep. Bennett, the rules were waived and SB 52-C was read the third time by title.

Representative(s) Seiler offered the following:

(Amendment Bar Code: 330139)

**Amendment 1 (with title amendment)**—On page 8, between lines 28 & 29,

insert:

Section 15. *After January 1, 2002, design professionals who have been preparing construction documents in anticipation of the current Florida Law stipulating the implementation date of January 1, 2002, for the Florida building Code, may at their option, have their projects governed by the Florida Building Code that would have been in effect in the permitting jurisdiction, After January 1, 2002.*

And the title is amended as follows:

On page 1, line 30, after the semicolon

insert: providing for the application of the act;

Rep. Seiler moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of SB 52-C. The vote was:

Session Vote Sequence: 684

Yeas—115

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

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

Nays—2

Machek                      Mealor

Votes after roll call:

Yeas—Lynn

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

### Resolutions

On motion by Rep. Bense, the rules were waived by the required two-thirds vote and—

By Representative Bense—

**HR 9003-C**—A resolution to the Congress and the President of the United States urging support and the commitment of funding necessary for the continued development, permanent establishment, and future operation of the Center for Coastal and Maritime Security by the Coastal Systems Station of the United States Navy.

WHEREAS, on September 11, 2001, the United States of America was the victim of a cowardly attack conducted by terrorists supported by foreign nations, and

WHEREAS, these attacks have placed our nation's military on high alert in order to protect our citizens and visitors to the United States from future aggression, and

WHEREAS, our nation has over 12,000 miles of coastline, over 2,000 miles of which are found in the State of Florida, and

WHEREAS, 14 active seaports, thousands of miles of rivers and inland waterways, countless marinas, and the center of the world's marine cruise industry are located in Florida, and

WHEREAS, the vastness of our nation's coastline increases the probability that future attackers could enter the country at our seaports, maritime commerce centers, energy facilities, and marine recreational centers, and

WHEREAS, for more than 50 years, the United States Navy's Coastal Systems Station in Panama City, Florida, has provided unequalled training, mission planning, and equipment development in the area of coastal operations and systems to all branches of the United States military, and

WHEREAS, the Coastal Systems Station is a field activity of the Naval Sea Systems Command and is one of the major research, development, test, and evaluation laboratories of the United States Navy, with a wide base of expertise in engineering and scientific disciplines, and

WHEREAS, the Coastal Systems Station is the Navy's premier organization for the comprehensive support of mission areas within coastal environments, which include mine warfare, amphibious warfare, special warfare, diving and life support, and coastal operations, and

WHEREAS, the United States Navy's Coastal Systems Station is currently in the process of developing, and seeks to permanently establish, the Center for Coastal and Maritime Security, the purpose of which is to provide specialized training and technology for civilian and military personnel to defend our nation against maritime terrorist threats, and

WHEREAS, given the events of September 11, 2001, it is now a matter of the highest importance that the numerous means of ingress to this country provided through the nation's vast coastal areas be secured and made invulnerable to any form of malicious breach, and

WHEREAS, to that end, it is essential that the Center for Coastal and Maritime Security be fully developed, permanently established, and operated by the United States Navy Coastal Systems Station, NOW, THEREFORE,

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

That the President of the United States and the United States Congress are urged to support and commit necessary funding for the continued development, permanent establishment, and future operation of the Center for Coastal and Maritime Security.

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

—was read the first time by title and the second time by title. On motion by Rep. Bense, the resolution was adopted.

### Motion to Adjourn

Rep. Byrd moved that the House adjourn for the purpose of holding committee and council meetings and conducting other House business, to reconvene at 11:00 a.m., Thursday, December 6, or upon call of the Chair. The motion was agreed to.

### Cosponsors

HB 77-C—Davis

### Introduction and Reference

By Representatives Frankel, Weissman, Bucher, Gannon, Sobel, Gelber, Joyner, Lerner, Betancourt, Ryan, Romeo, Gottlieb, Bendross-Mindingall, Wilson, Heyman, Seiler, McGriff, Bullard, and Rich—

**HB 97-C**—A bill to be entitled An act relating to economic recovery; providing legislative intent; providing criteria, requirements, and limitations on certain training; providing for power and authority of the Agency for Workforce Innovation; providing requirements for expenditure of certain funds; amending s. 443.036, F.S.; providing a definition and an application of an alternative base period; providing requirements and limitations; specifying, for a limited time period, alternative time periods and amounts of certain payments, an increase in weekly benefit amounts, and waiver of a waiting period for certain individuals for unemployment compensation purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution). [Referred to the Committee on Workforce & Technical Skills and the Council for Competitive Commerce earlier today.]

### Reports of Councils and Standing Committees

#### Committee Reports

#### Received December 5:

The Committee on Security, Select recommends the following pass: HB 89-C, with 2 amendments

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

**Excused**

Rep. Slosberg

**Conference Committee Managers Excused**

The following Conference Committee Managers were excused from time to time:

SBs 2-C and 4-C (appropriations): At Large—Reps. Cantens, Fasano, Greenstein, Lacasa, Wallace and Wilson; Transportation & Economic Development Appropriations—Reps. Berfield, Hogan, Henriquez, Johnson, Mayfield, Allen (alternate), and Cusack (alternate); Health & Human Services Appropriations—Reps. Farkas, Gannon, Green, Maygarden, Murman, Rich, and Waters (alternate);

Education Appropriations—Reps. Arza, Justice, Flanagan, Kilmer, Lynn, Melvin, Stansel, and Mealor (alternate); Criminal Justice Appropriations—Reps. Ball, Barreiro, Kyle, Meadows, Seiler, Sorensen, Bilirakis (alternate), and Bowen (alternate); General Government Appropriations—Reps. Bense, Dockery, Harrington, Holloway, Kendrick, Spratt, and Brown (alternate).

HB 13-C (School District Flexibility Act) Rep. Lynn, Chair; Reps. Melvin, Baxley, and Stansel.

**Adjourned**

Pursuant to the motion previously agreed to, the House adjourned at 12:55 p.m., to reconvene at 11:00 a.m., Thursday, December 6, or upon call of the Chair.