



# Journal of the Senate

Number 1—Special Session B

Monday, December 5, 2005

At a Special Session of the Florida Legislature convened under Article III, Section 3(c), of the Constitution of the State, as revised in 1968, and subsequently amended, at the Capitol, in the City of Tallahassee, on Monday, December 5, 2005, in the State of Florida.

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[See end of Journal for Bill Action Summary]

## CALL TO ORDER

The Senate was called to order by the President at 1:17 p.m. A quorum present—40:

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

## PRAYER

The following prayer was offered by Senator Baker:

Lord, Grant us understanding and wisdom as we enter this Special Session. Give us compassion as we affect those that are less fortunate than us.

Guide our thoughts, our words, and our actions as we legislate and let us be an example of "democracy in action" to our nation and the world.

And let us not forget that as we stand in this chamber, there are men and women in the uniform of the U.S. military who are fighting and dying for the very principles of Freedom, Liberty and Democracy that we are enjoying and exercising right here in the Florida Senate today!

In thy name we pray, Amen.

## PLEDGE

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

## PROCLAMATION

State of Florida  
Executive Office of the Governor  
Tallahassee

### TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND HOUSE OF REPRESENTATIVES

WHEREAS, the State of Florida on October 19, 2005, obtained federal approval of the State's Medicaid waiver application, which was submitted to the Centers for Medicare and Medicaid Services (CMS); and

WHEREAS, such federal approval allows Florida to overhaul Medicaid and create a system that empowers patients and expands access to best serve more than 2.2 million vulnerable, disabled and elderly Floridians; and

WHEREAS, the current Medicaid program is a large, complex, and cumbersome system, which is difficult for Floridians to navigate and manage; is costly and inefficient; lacks incentives for early identification of illness, disease management, and access to specialty care; and fails to empower beneficiaries to make choices or be rewarded for responsible behavior; and

WHEREAS, Medicaid costs the State of Florida \$15 billion annually, and could consume nearly 60 percent of the State's budget by 2015 if left unaddressed; and

WHEREAS, the 2005 regular session of the Legislature adjourned on May 6, 2005, without implementation of the amendment to the State Constitution authorizing slot machines at certain pari-mutuel facilities in Broward County; and

WHEREAS, it is in the best interests of the people of the State of Florida that the Legislature enact legislation that will reform Florida's Medicaid program and complete its work on implementation of the amendment approved by the voters to authorize slots in certain pari-mutuel facilities in Broward County;

NOW, THEREFORE, I, Jeb Bush, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution, do hereby proclaim as follows:

### Section 1.

The Legislature of the State of Florida is convened in Special Session commencing at 1:00 p.m., Monday, December 5, 2005, and extending through 11:59 p.m., Friday, December 9, 2005.

### Section 2.

The Legislature of the State of Florida is convened for the sole and exclusive purpose of considering the following:

- A. Legislation implementing reforms of Florida's Medicaid system, consistent with the waiver application and the Special Terms and Conditions approved by the Centers for Medicare and Medicaid Services (CMS) on October 19, 2005; and
- B. Legislation authorizing, regulating and taxing the operation of slot machines.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this Proclamation convening the Legislature in Special Session at the Capitol, this 4th day of November, 2005.

*Jeb Bush*  
GOVERNOR

ATTEST:

*Glenda E. Hood*  
SECRETARY OF STATE

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By Senators Peaden, Carlton and Atwater—

**SB 2-B**—A bill to be entitled An act relating to Medicaid; amending s. 409.911, F.S.; creating the Medicaid Low-Income Pool Council; providing for membership and duties; abolishing the Medicaid Disproportionate Share Council; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration to contract with comprehensive behavioral health plans in separate counties within or adjacent to an AHCA area; conforming provisions to the solvency requirements in s. 641.2261, F.S.; deleting the competitive-procurement requirement for provider service networks; updating a reference to the provider service network; amending s. 409.91211, F.S.; specifying the process for statewide expansion of the Medicaid managed care demonstration program; requiring that matching funds for the Medicaid managed care pilot program be provided by local governmental entities; providing for distribution of funds by the agency; providing legislative intent with respect to the low-income pool plan required under the Medicaid reform waiver; specifying the agency's powers, duties, and responsibilities with respect to implementing the Medicaid managed care pilot program; revising the guidelines for allowing a provider service network to receive fee-for-service payments in the demonstration areas; authorizing the agency to make direct payments to hospitals and physicians for the costs associated with graduate medical education under Medicaid reform; including the Children's Medical Services Network in the Department of Health within those programs intended by the Legislature to participate in the pilot program to the extent possible; requiring that the agency implement standards of quality assurance and performance improvement in the demonstration areas of the pilot program; requiring the agency to establish an encounter database to compile data from managed care plans; requiring the agency to implement procedures to minimize the risk of Medicaid fraud and abuse in all managed care plans in the demonstration areas; clarifying that the assignment process for the pilot program is exempt from certain mandatory procedures for Medicaid managed care enrollment specified in s. 409.9122, F.S.; revising the automatic assignment process in the demonstration areas; requiring that the agency report any modifications to the approved waiver and special terms and conditions to the Legislature within specified time periods; authorizing the agency to implement the provisions of the waiver approved by federal Centers for Medicare and Medicaid Services; providing that, if any conflict exists between the provisions contained in s. 409.91211, F.S., and ch. 409, F.S., concerning the implementation of the pilot program, the provisions contained in s. 409.91211, F.S., control; creating s. 409.91213, F.S.; requiring the agency to submit quarterly and annual progress reports to the Legislature; providing requirements for the reports; amending s. 641.2261, F.S.; revising the application of solvency requirements to include Medicaid provider service networks; updating a reference; requiring that the agency report to the Legislature the pre-implementation milestones concerning the low-income pool which have been approved by the Federal Government and the status of those remaining to be approved; providing an effective date.

—was referred to the Committees on Health Care; and Ways and Means.

By Senators Jones, Posey, Geller and Constantine—

**SB 4-B**—A bill to be entitled An act relating to slot machine gaming; creating ch. 551, F.S.; implementing s. 23, Art. X of the State Constitu-

tion; authorizing slot machines and slot machine gaming within certain pari-mutuel facilities located in Miami-Dade and Broward Counties upon approval by a local referendum; providing definitions; providing powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation; clarifying the authority of the Department of Law Enforcement and local law enforcement agencies; providing for licensure to conduct slot machine gaming; providing for slot machine licensure renewal; providing for a license fee and tax rate; providing for payment procedures; providing penalties; requiring occupational licenses and application fees; providing penalties; prohibiting certain business relationships; prohibiting certain acts and providing penalties; providing an exception to prohibitions relating to slot machines; providing for the exclusion of certain persons from facilities; prohibiting persons under 21 years of age from playing slot machines; providing requirements for slot machine gaming areas; providing for days and hours of operation; providing penalties; providing a compulsive or addictive gambling prevention program; providing for funding; providing for a caterer's license; specifying prohibited activities and devices; prohibiting automated teller machines within the facilities of a slot machine licensee; providing for rulemaking; providing for purse and awards licensure requirements; amending s. 849.15, F.S.; providing for transportation of certain gaming devices in accordance with federal law; amending s. 895.02, F.S.; providing that specified violations related to slot machine gaming constitute racketeering activity; providing that certain debt incurred in violation of specified provisions relating to slot machine gaming constitutes unlawful debt; providing for preemption; authorizing additional positions and providing appropriations; amending s. 215.22, F.S.; providing an exemption from an appropriation for certain slot machine trust fund revenues; providing an effective date.

—was referred to the Committees on Regulated Industries; and Ways and Means.

### Motion

On motion by Senator Pruitt, by the required constitutional two-thirds vote of the membership the following bills were admitted for introduction outside the purview of the Governor's call:

By Senator Sebesta—

**SB 6-B**—A bill to be entitled An act relating to lobbying; amending s. 11.045, F.S., relating to the requirements that legislative lobbyists register and report as required by legislative rule; defining the terms "compensation" and "lobbying firm"; amending the definition of the term "lobbying"; requiring each principal upon the registration of the principal's designated lobbyist to identify the principal's main business; conditionally prohibiting a convicted felon from being registered as a legislative lobbyist; requiring each lobbying firm and principal to maintain certain records and documents for a specified period; specifying judicial jurisdiction for enforcing the right to inspect certain documents and records; modifying the aggregate reporting categories on lobbying expenditure reporting forms; requiring that lobbying expenditure reporting forms include the name and address of each person to whom an expenditure for food and beverages was made, the date of the expenditure, and the name and title of the legislator or employee for whom the expenditure was made; requiring each lobbyist to report the general areas of the principal's legislative interest and specific issues lobbied; requiring each lobbying firm to file quarterly compensation reports; requiring each lobbying firm to report certain compensation information in dollar categories and specific dollar amounts; requiring certain lobbying firms to report the name and address of the principal originating lobbying work; providing for certification of compensation reports; requiring the Division of Legislative Information Services to aggregate certain compensation information; revising the period for filing compensation and expenditure reporting statements; prescribing procedures for determining late-filing fines for compensation reports; prescribing fines and penalties for compensation-reporting violations; providing exceptions; prohibiting lobbying expenditures, except for certain food and beverages and novelty items; prohibiting principals from providing lobbying compensation to any individual or business entity other than a lobbying firm; providing for the Legislature to adopt rules to maintain and make publicly available all advisory opinions and reports relating to lobbying firms, to conform; providing for the Legislature to adopt rules authorizing legislative committees to investigate certain person and entities engaged in legislative lobbying; requiring that compensation

and expenditure reports be filed electronically; creating s. 11.0455, F.S.; defining the term “electronic filing system”; providing requirements for lobbyists and lobbying firms filing reports with the Division of Legislative Information Services by means of the division’s electronic filing system; providing that such reports are considered to be certified as accurate and complete; providing requirements for the electronic filing system; providing for the Legislature to adopt rules to administer the electronic filing system; requiring alternate filing procedures; requiring the issuance of electronic receipts; requiring that the division provide for public access to certain data; amending s. 11.45, F.S.; requiring that the Auditor General conduct random audits of the compensation reports filed by legislative and executive lobbyists; prescribing conditions for the random selection; directing the Auditor General to adopt audit and field investigation guidelines; granting the Auditor General independent authority to audit the accounts and records of any principal or lobbyist with respect to compliance with the compensation-reporting requirements; requiring that legislative lobbying audit reports be forwarded to the Legislature and executive lobbying audit reports be sent to the Florida Commission on Ethics; amending s. 112.3215, F.S., relating to the requirements that executive branch and Constitution Revision Commission lobbyists register and report as required; defining the terms “compensation” and “lobbying firm”; amending the definition of the term “lobbies”; conditionally prohibiting a convicted felon from being registered as an executive branch lobbyist; requiring each principal upon the registration of the principal’s designated lobbyist to identify the principal’s main business; modifying the aggregate reporting categories on lobbying expenditure reporting forms; requiring that lobbying expenditure reporting forms include the name and address of each person to whom an expenditure for food and beverages was made, the date of the expenditure, and the name and title of the agency official, member, or employee for whom the expenditure was made; requiring each lobbyist to report the general areas of the principal’s lobbying interest and specific issues lobbied; requiring each lobbying firm to file quarterly compensation reports; requiring each lobbying firm to report certain compensation information in dollar categories and specific dollar amounts; requiring certain lobbying firms to report the name and address of the principal originating lobbying work; providing for certification of compensation reports; requiring the Florida Commission on Ethics to aggregate certain compensation information; revising the period for filing compensation and expenditure reporting statements; authorizing the commission to adopt procedural rules for determining late-filing fines for compensation reports; prescribing fines and penalties for compensation-reporting violations; providing exceptions; requiring each lobbying firm and principal to maintain certain records and documents for a specified period; specifying judicial jurisdiction for enforcing the right of inspection; prohibiting lobbying expenditures, except for certain food and beverages and novelty items; prohibiting principals from providing lobbying compensation to any individual or business entity other than a lobbying firm; providing for the commission to investigate certain lobbying firms for compensation-reporting violations; providing procedures for disposing of compensation-reporting investigations and proceedings; providing penalties; providing for public access to certain records; authorizing the commission to adopt administration rules and forms relating to compensation reporting; requiring that compensation and expenditure reports be filed electronically; creating s. 112.32155, F.S.; defining the term “electronic filing system”; providing requirements for lobbyists and lobbying firms filing reports with the Florida Commission on Ethics by means of the electronic filing system; providing that such reports are considered to be certified as accurate and complete; providing requirements for the electronic filing system; providing for the commission to adopt rules to administer the electronic filing system; requiring alternate filing procedures; requiring the issuance of electronic receipts; requiring that the commission provide for public access to certain data; specifying the initial reporting period that is subject to the requirements of the act; providing effective dates.

—was referred to the Committee on Ethics and Elections.

By Senator Sebesta—

**SB 40-B**—A bill to be entitled An act relating to public records and open meetings; amending s. 11.0431, F.S.; creating an exemption from public-records requirements for user identification and passwords held by the Division of Legislative Information Services pursuant to s. 11.0455, F.S.; creating a temporary exemption from public-records requirements for reports and files stored in the electronic filing system

pursuant to s. 11.0455, F.S.; creating s. 112.32156, F.S.; creating an exemption from public-records requirements for user identifications and passwords held by the Commission on Ethics pursuant to s. 112.32155, F.S.; creating a temporary exemption from public-records requirements for reports and files stored in the electronic system pursuant to s. 112.32155, F.S.; providing for future legislative review and repeal under the Open Government Sunset Review Act; amending s. 112.3215, F.S.; creating a temporary exemption from public-records and open-meetings requirements for records relating to a compensation-reporting audit and an investigation of possible reporting violations concerning lobbying compensation and for meetings held pursuant to an investigation or at which a compensating-reporting audit is discussed; providing for future legislative review and repeal under the Open Government Sunset Review Act; providing findings of public necessity; providing a contingent effective date.

—was referred to the Committee on Ethics and Elections.

By Senator King—

**SB 8-B**—A bill to be entitled An act relating to elections; amending s. 106.08, F.S.; prescribing requirements for making in-kind contributions to political parties; providing an effective date.

—was referred to the Committee on Ethics and Elections.

By Senator Atwater—

**SB 10-B**—A bill to be entitled An act relating to the payment of ad valorem taxes; allowing the governing body of a county that has been declared a major disaster area to adopt an ordinance extending the time in which property tax payments made by individuals qualify for early-payment discounts; providing options that counties may choose; providing for expiration of the act; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senators Webster and Haridopolos—

**SB 12-B**—A bill to be entitled An act providing an appropriation to compensate Wilton Dedge; providing authority to draw warrant; providing a limitation on the authority to draw the warrant; requiring a specified distribution of funds; providing a condition for payment; providing legislative intent; providing an effective date.

—was referred to the Committees on Judiciary; and Ways and Means.

By Senators Saunders and Aronberg—

**SB 14-B**—A bill to be entitled An act relating to judges; amending s. 26.031, F.S.; revising the number of circuit court judges in the 20th judicial circuit; amending s. 34.022, F.S.; revising the number of county court judges in Collier County; providing for the additional judges provided under the act to be appointed by the Governor; providing an appropriation and authorizing positions; providing effective dates.

—was referred to the Committees on Judiciary; and Ways and Means.

By Senators Lynn, Clary, Wilson, Dawson, Siplin, Haridopolos, Aronberg, Bullard and Diaz de la Portilla—

**SB 16-B**—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating the NA-SCAR license plate under certain circumstances; providing an annual use fee; providing for the distribution of annual use fees received from the sale of such plates; providing a conditional effective date.

—was referred to the Committees on Transportation; and Ways and Means.

By Senator Alexander—

**SB 18-B**—A bill to be entitled An act relating to the state minimum wage; amending s. 95.11, F.S.; providing periods of limitations on actions for violations of the Florida Minimum Wage Act; creating s. 448.110, F.S., the Florida Minimum Wage Act; providing legislative intent to implement s. 24, Art. X of the State Constitution in accordance with authority granted to the Legislature therein; requiring employers to pay certain employees a minimum wage for all hours worked in Florida; incorporating provisions of the federal Fair Labor Standards Act; requiring the minimum wage to be adjusted annually; providing a formula for calculating such adjustment; requiring the Agency for Workforce Innovation and the Department of Revenue to annually publish the amount of the adjusted minimum wage; providing criteria for posting; requiring the agency to provide written notice to certain employers; providing a deadline for the notice to be mailed; providing that employers are responsible for maintaining their current addresses with the agency; requiring the agency to provide the department with certain information; prohibiting discrimination or adverse action against persons exercising constitutional rights under s. 24, Art. X of the State Constitution; providing for civil action by aggrieved persons; requiring aggrieved persons bringing civil actions to provide written notice to their employers alleged to have violated the act; providing information that must be included in the notice; providing a deadline by which an employer alleged to have violated the act must pay the unpaid wages in question or resolve the claim to the aggrieved person's satisfaction; providing that a statute of limitations is tolled for a specified period; providing a statute of limitations period; providing that aggrieved persons who prevail in their actions may be entitled to liquidated damages and reasonable attorney's fees and costs; authorizing additional legal or equitable relief for aggrieved persons who prevail in such actions; providing that punitive damages may not be awarded; providing that actions brought under the act are subject to s. 768.79, F.S.; authorizing the Attorney General to bring a civil action and seek injunctive relief; providing a fine; providing statutes of limitations; authorizing class actions; declaring the act the exclusive remedy under state law for violations of s. 24, Art. X of the State Constitution; providing for implementation measures; designating ss. 448.01-448.110, F.S., as part I of ch. 448, F.S.; providing a part title; providing for severability; providing an effective date.

—was referred to the Committee on Commerce and Consumer Services.

## MOTIONS

On motion by Senator Pruitt, the rules were waived and the procedure for establishing a Special Order Calendar during Special Session B will be by distribution or publication in the calendar.

On motion by Senator Pruitt, the rules were waived and amendment deadlines for committee meetings and sessions will be by announcement or publication.

On motion by Senator Pruitt, the rules were waived and committee meetings and sessions may be scheduled past 7:00 p.m., if necessary.

On motion by Senator Pruitt, the rules were waived and any additional bills filed for introduction outside the call of the Special Session were referred to the Committee on Rules and Calendar.

## ANNOUNCEMENTS

Senator Pruitt announced that the Committee on Health Care was granted permission to meet this day from 2:00 p.m. until 5:00 p.m. to consider **SB 2-B**. The amendment deadline was 10:00 a.m. this day.

Senator Pruitt announced that the Committee on Regulated Industries was granted permission to meet Tuesday, December 6 from 8:30 a.m. until 12:30 p.m. to consider **SB 4-B** with an amendment deadline of 3:30 p.m. this day.

Senator Pruitt announced that the Committee on Ethics and Elections was granted permission to meet this day from 5:15 p.m. until 7:00 p.m. to consider **SB 6-B**, **SB 40-B** and **SB 8-B** with an amendment deadline of 3:15 p.m. this day.

Senator Pruitt announced that the Committee on Transportation was granted permission to meet Tuesday, December 6 from 9:00 a.m. until

11:00 a.m. to consider **SB 16-B** with an amendment deadline of 4:00 p.m. this day.

Senator Pruitt announced that the Committee on Commerce and Consumer Services was granted permission to meet Wednesday, December 7 from 9:15 a.m. until 11:15 a.m. to consider **SB 18-B** with an amendment deadline of 4:15 p.m. Tuesday, December 6.

Senator Pruitt announced that the Committee on Judiciary was granted permission to meet Wednesday, December 7 from 8:00 a.m. until 9:00 a.m. to consider **SB 12-B** and **SB 14-B** with an amendment deadline of 3:00 p.m. Tuesday, December 6.

Senator Pruitt announced that the Committee on Ways and Means was granted permission to meet Wednesday, December 7 from 11:30 a.m. until 2:30 p.m. to consider **SB 2-B**, **SB 4-B**, **SB 10-B**, **SB 12-B**, **SB 14-B** and **SB 16-B** with an amendment deadline of 9:30 a.m. Wednesday, December 7.

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

### VETOED BILLS 2005 REGULAR SESSION

The Honorable Glenda E. Hood  
Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 52, enacted during the 37th session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to commercial motor vehicles. . .

Senate Bill 52 requires that any person who retrofits, rebuilds, or modifies a commercial truck into a dump truck must carry a commercial liability insurance policy providing a minimum of \$1 million in coverage per accident and \$1 million in coverage on an annual aggregate. The bill further mandates that the creation of dump trucks through retrofitting must comply with all federal safety standards, set forth in 49 C.F.R., Section 393.

I am vetoing the bill for the following reasons:

While the proponents of the bill suggest that numerous serious accidents and injuries may have occurred resulting from improperly converted dump trucks—related to failed welds or a failure to reinforce brakes, suspension, or steering to accommodate heavier loads—insufficient evidence was offered to support this claim. I acknowledge that it is difficult to show how many accidents are the result of defective modifications. Law enforcement officers lack the information and investigative capability to demonstrate or disprove such a causal factor. However, even the oft-cited NBC news report that found nine of a total of 10 reporter-investigated dump truck accidents involved modified trucks failed to establish a nexus between the accident and an improper modification.

Additionally, the special commercial liability policy required by the bill may not be affordable. According to both bill sponsors, such a policy would likely cost \$10,000 or more and present a significant fiscal challenge for small businesses.

Finally, the bill places the burden of maintaining this insurance coverage on the company that modified the truck, rather than the owner of the vehicle. In addition to this unusual burden, the bill does not specify any set period of time for the manufacturer to maintain this additional liability insurance coverage, or how he will know when the trucks he has modified are no longer on the road. Therefore, there would be no way for the business owner who stops offering truck modification services to know how long to annually renew the required liability policy.

For these reasons, I am withholding my approval of Senate Bill 52, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 1, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 114, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to trust funds. . .

This bill creates a new trust fund, the Entertainment Industry Trust Fund, in the Executive Office of the Governor for the Office of Tourism, Trade and Economic Development on behalf of the Film and Entertainment Industry program.

I fully support the efforts of the film and entertainment industry and I approved the increased incentive funding in the General Appropriations Act. There is no need to create a new trust fund to implement this program, however, as this program is funded by General Revenue rather than by a dedicated funding source.

For this reason, I am withholding my approval of Senate Bill 114, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

May 26, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 166, enacted during the 37th Session of the Legislature of Florida and convened under the Constitution of 1968, during the Regular Session of 2005 and entitled:

An act relating to child support. . .

This bill requires that the Department of Revenue make reasonable efforts to locate and notify persons to whom child support collections or refunds are owed and directs that such efforts may include disclosure through a searchable database on the Internet.

Nearly identical provisions are included in House Bill 1283, which also passed during the 2005 regular session. While I appreciate the efforts of the sponsors of this bill in bringing forward these important issues, a veto of Senate Bill 166 is in order to prevent unnecessary clutter of the Florida Statutes.

For this reason, I withhold my approval of Senate Bill 166, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Senate Bill 276, enacted during the 37th Session of the Legislature of Florida and convened under the Constitution of 1968, during the Regular Session of 2005 and entitled:

An act relating to wrecker services. . .

Committee Substitute for Senate Bill 276 establishes within the Department of Agriculture and Consumer Services (DACS) a statewide regulation and certification system for wrecker companies and operators, restricts counties and municipalities from issuing or renewing an occupational license unless the wrecker company is registered with the department, and restricts participation in the Florida Highway Patrol or local

government wrecker allocation system only to those wrecker companies registered with the department.

I am vetoing the bill for the following reasons:

The bill places excessive regulatory and cost burdens on the entire wrecker industry, a burden that will be particularly difficult for smaller wrecker companies to bear. The bill requires wrecker operators to become certified as such within six months after employment at a cost of up to \$300. In addition, many wrecker companies will find it difficult to pay the annual registration fee of \$515 created by the bill.

The Department of Agriculture and Consumer Services will be required to provide regulation and enforcement of over 1,500 wrecker companies across the state. Although the bill authorizes 10 FTE positions and appropriates \$683,000 for the department to implement the provisions of the bill, it is not certain that those resources will sufficiently equip the department to carry out its new responsibilities.

Further, Section 11.62, F.S., known as the Sunrise Act, establishes criteria that must be met before initiating regulation of an industry group in Florida. Among them is the requirement to show that, left unregulated, current industry activities will endanger or substantially harm the public safety or welfare. While proponents of the bill have shown through newspaper articles and videos that problems do exist as the result of abuses by unscrupulous "gypsy" towers, there is insufficient evidence to meet the threshold of *substantial harm* as required by the Sunrise Act.

For these reasons, I withhold my approval of Committee Substitute for Senate Bill 276, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 308, enacted during the 37th session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to law enforcement officers. . .

Senate Bill 308 requires that whenever a law enforcement or correctional officer is under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, all identifiable witnesses, whenever possible, must be interviewed before the investigative interview of the accused officer could begin. The bill further requires that the complaint and all witness statements must be given to the accused officer before the beginning of the investigative interview.

My concerns are twofold. First, this bill affords law enforcement officers rights that are not afforded to other state employees. Although law enforcement officers deserve our respect and command our highest expectations, the special powers conferred upon them to investigate, detain, arrest, and at times use force, call for the strictest standards of conduct and accountability. This bill limits the ability of investigators to determine whether the trust that we place in law enforcement officers has been breached.

Second, these new requirements could have a significant impact on the time it takes to bring an investigation to a conclusion. Some witnesses or potential witnesses may be difficult to locate, while other witnesses may not necessarily be able to provide information that would have a significant impact on the outcome of the investigation. All would have to be interviewed prior to obtaining any explanation from the officer.

These restrictions eliminate needed flexibility and place an undue burden on the conduct of internal investigations. This flexibility is vital for managers to conduct a timely and thorough investigation.

For these reasons, I am withholding my approval of Senate Bill 308, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 10, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 328, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to automated external defibrillators in law enforcement vehicles. . .

Committee Substitute for Committee Substitute for Senate Bill 328 authorizes the Florida Department of Law Enforcement to administer a matching grant program that would enable law enforcement agencies to place automated external defibrillators in their vehicles.

I am vetoing the bill because it is contrary to good governmental policy to have programs in existence that are not funded. Previously, I vetoed funding for this project from the state's budget because I believe responsibility for development of this program lies at the local level. In fact, on June 1, 2005 I was pleased to approve legislation authorizing development of this program at the local level: Committee Substitute for Senate Bill 1436 authorizes local governments to use funds from forfeitures to purchase automated external defibrillators for law enforcement vehicles.

Signing this bill, however, would enact a program statutorily that cannot be put into effect. Without a state funding source, Committee Substitute for Committee Substitute for Senate Bill 328 is superfluous and a veto is warranted. For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 328, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 24, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby transmit with my signature Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360, but withhold my approval of portions of Sections 25 and 40, comprising specific appropriations, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to infrastructure planning and funding. . .

I am very proud today to sign this significant piece of legislation into law. The good work of the Legislature to develop and pass this law has great potential to change the future of our state for many generations. In 1985, the Legislature passed landmark legislation to manage our future growth. This 2005 bill will be seen as a landmark point in time as well, where we get the most from the opportunities and meet the challenges of Florida's future growth. Growth in Florida will continue to support an attractive business climate, protect natural resources, and add to, not detract from, the high quality of life we enjoy in this state.

This bill addresses critical gaps in Florida's growth management act: concurrency for schools, water supply, improvements in transportation concurrency, and infrastructure funding. Amazing as it may seem, school capacity and water supply were not linked to development approvals (a linkage known as "concurrency") in the 1985 law, or since, until this bill. Given the road congestion that so much of Florida experiences each day, I felt very strongly that funding must not become a blank check. It needs to be accompanied by policy changes that link the funding to responsible decisions concerning future growth and associated infrastructure obligations. The Legislature agreed and tightened transportation concurrency provisions as well.

Very significantly, the Legislature appropriated \$1.5 billion in this legislation and made a recurring commitment to fund roads, school construction and water supply—the largest funding commitment to growth management since before 1985. I look forward to getting this program off to

a solid start and commend the Legislature for recognizing that the time is now to overhaul and update our growth policies and commit the state to ongoing funding of critical infrastructure. Our citizens' quality of life depends on successful implementation of the reforms provided in this bill.

There are many appropriations in Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360, most of which I wholeheartedly support. However, there are a few items that I find I must veto.

The appropriations for the High Growth District Capital Outlay Assistance Grant Program in Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360 are based on one formula for determining eligibility to receive funds and another formula for the allocation of funds, which combined would result in only five school districts receiving funds in fiscal year 2005-2006. These formulas include components that apply unexplained time parameters, valuations, calculations, weighting of values, and restrictions on district student population. While the school districts slated to benefit from these formulas are indeed experiencing high rates of student growth, there are other rapidly growing districts that should be considered as well.

I have consistently expressed concern about the distribution of funds in the High Growth District Capital Outlay Assistance Program. The formula needs to be carefully debated and deliberated to ensure a fair distribution of limited resources. I am willing to approve the nonrecurring appropriation for fiscal year 2005-06, but I cannot approve a recurring annual appropriation based on the formula set forth in this bill. Therefore, I am hereby vetoing the following appropriation:

Section 25, subsection 1013.65(2)(a)4.c.

c. Thirty million dollars of such funds are hereby annually appropriated for expenditure to fund the High Growth County District Capital Outlay Assistance Grant Program created in s. 1013.738 and shall be distributed as provided in that section.

Further, Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360 creates a School Concurrency Task Force to: review the requirements for school concurrency and make recommendations to streamline the process and procedures for implementation; examine the methodology and processes for funding construction of public schools; and recommend revisions to help ensure that schools are built and available when the expected demands of growth produce the need for new school facilities. I believe that sufficient guidance is provided in current law and within this legislation to implement school concurrency. I also fear that the prospect of pending changes to legislation as a result of this task force will delay implementation. I will ensure that the Department of Community Affairs and the Department of Education work closely with stakeholders to make certain that these provisions are implemented as efficiently as possible. Thus, I am hereby vetoing the following appropriation:

Section 27, subsection (2)(d)3.

3. Fifty thousand dollars to support the School Concurrency Task Force.

Finally, Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360 contains \$0.5 million in two separate appropriations of \$250,000 to fund the Century Commission. I believe this was a glitch and that \$250,000 is sufficient to fund the Commission. Therefore, I am hereby vetoing the following appropriation:

A portion of section 40.

and \$250,000 is hereby annually appropriated to support the Century Commission, created by section 163.3247, Florida Statutes.

I hereby transmit Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360 with my signature, but withhold my approval of the above noted sections or portions thereof.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 8, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby transmit Committee Substitute for Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 442 with my signature, but withhold my approval of section 1 and section 38, comprising specific appropriations, enacted during the 37th Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to building safety. . .

Committee Substitute for Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 442 represents a concerted effort by a group of construction industry stakeholders, a collaboration I sincerely applaud. The Florida Building Code is a consensus-based, unified source of construction regulation for the state. This is further evident through the new procedures offered in this bill for expedient resolution of interpretive issues. The bill also addresses a variety of issues related to development and administration of the Florida Building Code, including a delay of its implementation date.

I have reservations about provisions of the bill that circumvent established processes and provide direct appropriations.

Although I am signing the bill into law, I am concerned with the approach the bill takes in amending the Florida Building Code by statute rather than allowing building code technical provisions to occur through the statutorily established review process of the Commission. The Florida Building Commission is comprised of members appointed based on their particular knowledge of varying aspects of the Florida Building Code; thus, amending and updating the Code should be left in their experienced hands.

While this bill has many provisions beneficial to Floridians, I am concerned about setting a negative precedent by encouraging further amendments of the code outside the deliberative process of the Commission. I strongly encourage members of the Florida Building Commission, construction industry stakeholders, and members of the Legislature to continue these types of consensus-driven discussions through established processes in order to further enhance Florida's Building Code.

I have consistently objected to the earmarking of funds for a particular entity. While the intent of building code, hazard mitigation and insurance education is laudable, I cannot support this earmarking of funds. I am concerned that section 1 of Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 442 will tie the hands of future governors and the Department of Community Affairs by earmarking funds for education irrespective of the existing competitive process. Building code education is conducted through the Department of Community Affairs using appropriate resources and a competitive process for awarding state funds. For this same reason, I cannot support the \$200,000 appropriation for creation of a joint education program between the homebuilding and insurance industries.

I hereby transmit Committee Substitute for Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 442 with my signature but withhold my approval and hereby veto the following sections:

Section 1. (5) An amount equal to fifteen percent of the total appropriation in paragraph (2)(a) shall be used for education awareness concerning the Florida Building Code and the operation of the disaster contractors network. Not more than 30 days after the effective date of each subsequent appropriation, the Department of Community Affairs shall contract with a nonprofit tax-exempt entity having prior contracting experience with building code training, development, and coordination and whose membership is representative of all of the statewide construction and design licensee associations. The entity shall allocate 20 percent of these resources to the disaster contractors network for the education of the construction industry and hurricane response if needed to coordinate the industry in the event of a natural disaster. The entity shall allocate 20 percent of these resources to the largest residential construction trade show in the state for the education of the residential construction industry on building code and mitigation issues. The remaining resources shall be used by the entity for outreach building code activities after

consultation with the building code program under the Florida Building Commission as provided for in s. 553.841.

Section 38. The Legislature appropriates \$200,000 from the Insurance Regulatory Trust Fund to the Department of Financial Services to be used to develop a joint program between the Florida Insurance Council and the Florida Home Builders Association to educate contractors on the benefits and options available for designing buildings for windborne debris protection and to develop a standardized affidavit to be used for verifying the insurance discounts for residential construction techniques demonstrated to reduce the amount of loss during a windstorm.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 8, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 626, enacted during the 37th Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to environmental health. . .

Committee Substitute for Committee Substitute for Senate Bill 626 requires the registration of portable restroom contractors. This bill seeks to increase government regulation to protect market interests of select groups. The Sunrise Act establishes specific criteria for evaluating proposals to establish new categories of professional licensure and similar standards are needed to measure the value of proposed additional regulation of existing professions in order to prevent increasing restrictions that limit entry of competition into the marketplace without a corresponding public benefit. The following key standards are particularly relevant in the discussion of this bill, and should guide any proposal which seeks to increase the regulation of an existing profession:

- The regulation should be necessary to protect the public health, safety, or welfare from significant or discernable harm.
- The regulation should not unnecessarily restrict entry into the practice of a profession.

As a result of these standards, I have the following objections to this bill:

First, there is no evidence of any significant or discernable risk to the public under the current regulations. No evidence has been presented that there is widespread improper dumping of portable restroom waste into areas such as lakes and streams. Indeed, current law, which requires a contractor to annually obtain a permit to dispose of the contents of a portable restroom, appears to be operating quite well. According to the department, there have been only 20 valid complaints in the last six years. It is not known how many of these complaints have been related to improper dumping.

Second, if any significant or discernable risk did exist, this proposal would not add any additional meaningful authority to prevent future harm.

For the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 626, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 15, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you, with my objections, Committee Substitute for Senate Bill 658 enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to the University of South Florida St. Petersburg . . .

The bill authorizes the Campus Board of the St. Petersburg branch campus of the University of South Florida to submit a proposal to the University of South Florida Board of Trustees to establish a fee to finance the planning, construction, and operation of a student center facility.

While this bill appears well intended, I am reluctant to approve it for several reasons. First, the bill authorizes a particular branch campus of a state university to assess a special fee to pay for a specific facility. No other state university is authorized to assess this type of fee. The bill does not appear to be part of a cohesive state policy regarding university tuition and fees.

Second, the bill exempts the new fee from the current statutory limit of five percent on annual fee increases. Therefore, student fees at the University of South Florida St. Petersburg may increase by as much as \$16.30 per credit hour, costing full-time students an additional \$489 each year. Furthermore, the bill does not include a sunset provision, so this fee may be assessed in perpetuity.

Finally, the branch campus is able to use other available revenue options to finance the construction of a new student center facility. The campus has chosen not to exercise these other options.

For the reasons provided above, I am withholding my approval of Committee Substitute for Senate Bill 658, and do hereby veto the same.

Sincerely,  
*Jeb Bush, Governor*

The Honorable Glenda E. Hood  
Secretary of State

June 2, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 662, enacted during the 37th Session of the Legislature of Florida and convened under the Constitution of 1968, during the Regular Session of 2005 and entitled:

An act relating to hospitals . . .

Committee Substitute for Committee Substitute for Senate Bill 662 creates four policy studies: (1) a nine-member study commission to identify all licensed hospitals serving indigent populations that are not able to comply with the Florida Building Code that are located within 10 miles of the coastline and that are located within a designated flood zone; (2) a 13 member high-deductible health insurance plan study group to study issues relating to high-deductible health plans; (3) an evaluation by the Office of Program Policy Analysis and Government Accountability (OPPAGA) to evaluate whether the State should join the Nurse Licensure Compact; and (4) an analysis by OPPAGA, in cooperation with the Agency for Health Care Administration, on the impact of hospices on the delivery of care to the terminally ill.

In general, I do not favor the large number of studies and reports mandated by the Legislature each year. Often these reports distract agencies from their core missions and may be of questionable value as a basis for making future policy decisions. The studies required by Committee Substitute for Committee Substitute for Senate Bill 662 raise several concerns. The responsibilities for conducting the studies may not be appropriately placed, and such studies may not be the best method for considering potential changes in state policy.

Several of the subjects addressed in this bill can be accomplished in a more expeditious manner. I will direct the appropriate agencies to work with the legislature and the interested parties on these issues.

For the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 662, and do hereby veto the same.

Sincerely,  
*Jeb Bush, Governor*

The Honorable Glenda E. Hood  
Secretary of State

June 22, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 1010, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to administrative procedures . . .

This bill amends provisions of the Administrative Procedures Act (APA) to include creating a Florida Administrative Weekly Internet website, expanding the definition of a "small business party" for the purpose of awarding attorney's fees and costs, providing for equitable tolling, exempting certain actions from petition content requirements, and providing administrative changes regarding the Administrative Procedures Committee.

I strongly support one of the bill's key provisions: electronic publication of the Florida Administrative Weekly on an Internet website managed by the Department of State. Providing public access to citizens in the rulemaking process is good public policy, and it does not require legislation. The Department of State is currently undertaking the creation of an interactive, automated rulemaking system and anticipates completion prior to the next legislative session. I look forward to its implementation.

While I support this and other public access and government efficiency efforts provided for in the bill, there are several provisions that could have negative consequences for state agencies and the public, including: increased litigation; increased agency costs and workload; the creation of agency, public and private uncertainty as to rights of appeal and effectiveness of agency orders; delays in litigation; and the vulnerability of licensing agencies with respect to the expanded group of individuals authorized to receive attorney's fees and costs. My general objections are threefold.

First, the bill expands the definition of the term "small business party" to include an additional class of individuals under which parties may receive attorney's fees and costs when the parties prevail in certain proceedings under the APA. This provision could generate unwarranted litigation that consumes limited legal, programmatic, and fiscal resources, regardless of whether an agency's actions were substantially justified.

Second, the bill codifies equitable tolling in the state. This provision extends the time for filing a petition or request for hearing if a petitioner has been misled or "lulled into inaction" by a division of the government or has filed an action in the incorrect forum. No limitation on the time period is provided in the bill and appeal rights are left open-ended. This provision would likely increase litigation and associated costs, and raises the possibility of retroactive remedies imposed years after an action is taken.

Third, the bill exempts actions relating to agency enforcement and disciplinary actions against a licensee or other person from APA petition content requirements. I believe requiring individuals appealing agency actions to provide basic information about their appeal is reasonable. Without this information, agencies will not know if there are issues of material fact and will have to refer petitions for determination through an expensive, cumbersome and time consuming process at the Division of Administrative Hearings. The streamlined informal hearing process, therefore, is severely limited by this bill.

For these reasons, I am withholding my approval of Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 1010, and do hereby veto the same.

Sincerely,  
*Jeb Bush, Governor*

The Honorable Glenda E. Hood  
Secretary of State

June 27, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 1146, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to procurement of contractual services by an agency. . .

Committee Substitute for Committee Substitute for Senate Bill 1146 relates to the procurement of contractual services and includes language establishing the Center for Efficient Government ("Center") in statute.

This bill includes a number of accomplishments premised upon well-founded recognitions: the private sector can often perform services with greater efficiency and effectiveness at a lower cost than the State; the State has long been a leader in innovative practices, in part because of its partnerships with the private sector; the State still maintains responsibility for ensuring that the services performed by the private sector on behalf of the State are of high quality, cost-effective, and appropriate functions for the private sector; the State must embrace the same best practices that leading businesses have developed to ensure quality products and services are delivered at an appropriate cost.

I applaud the effort of the Legislature to codify the Center and the "gate" process, initiated by Executive Order No. 04-45 in March 2004, into statute and to subject future procurements to this process. It is essential that a strong, fair, simple and transparent process be institutionalized for the procurement of contractual services.

I am vetoing Committee Substitute for Committee Substitute for Senate Bill 1146, however, because it contemplates an overly cumbersome process that would impose undue challenges upon the Center.

Specifically, I am concerned the bill would:

- Unnecessarily increase the burden on procuring agencies, especially as it relates to procurement of small projects that may not rise to the level of an extensive multiagency head review process.
- Substantially delay State procurements by basing their approval upon legislative schedules, very likely resulting in ineffective and inefficient operations.
- Subject small, simple, and even routine procurements to the "gate" process—items that would be more efficiently handled through improved processes within the procuring agency.
- Create additional bureaucracy and procedures that over-burden and complicate, rather than simplify and strengthen, the procurement process.

Some of the provisions of the bill would have been helpful to the operations of the Center; consequently, I have instructed the Secretary of the Department of Management Services to imbed these good provisions and their corresponding everyday best practices into the Department's basic policies for state procurement. These provisions will:

- Successfully increase operational efficiency for implementation of complex projects in the private sector business environment.
- Direct all agencies under the control of the Governor to render assistance and any necessary resources to support the Department's operations.
- Require Governor's agencies to submit for Department review any proposed contractual services procurement estimated to exceed a defined threshold of cost in any fiscal year over the proposed term of the contract.
- Require Department review of contractual services procurements (even those that do not meet the defined threshold) as requested by the Legislature or by an agency head.

Again, I would like to commend the Legislature for contemplating these difficult challenges and for taking a significant step toward institutionalizing a strong, fair, simple and transparent process for the procurement of contractual services.

I am confident that the bill's deficiencies can be addressed, and look forward to signing legislation codifying the Center into statute that addresses the concerns enlisted herein in the coming months.

For the reasons discussed above, I withhold my approval of the Committee Substitute for Committee Substitute for Senate Bill 1146, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 23, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you, with my objections, Committee Substitute for Committee Substitute for Senate Bill 1168, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to the Commission for the Transportation Disadvantaged. . .

This bill modifies the membership of the Commission for the Transportation Disadvantaged and establishes stringent qualifications for the selection of its members. The bill also stipulates that the Legislative Budget Commission (LBC) must approve any modification of the formula that the Transportation Disadvantaged Commission uses to distribute funds for the delivery of non-emergency transportation for disadvantaged persons.

While I support the effort to streamline the size of the board, establish qualifications for membership and require background checks, I object to provisions of this bill that broaden the responsibilities of the Legislative Budget Commission to include powers that are tantamount to appropriating. The bill gives the LBC greater statutory authority than it currently has. I find this troubling because it heads in the direction of giving the LBC authority that the Constitution properly grants to the full Legislature, not a subset thereof.

This bill jeopardizes the institutional authority and traditions of the Legislative and Executive Branches of government balanced through the separation of powers, which recognizes the full Legislature's prerogative to appropriate, the Governor's authority to veto, and the agencies' ability to implement the budget.

There is no doubt that the Legislature, the program's providers, and its users have concerns over the delivery of services for the transportation disadvantaged. I share those concerns, and while I veto this legislation, I commit to taking the following actions. First, working with the sponsors of this legislation and others interested in this issue, I will recommend legislation for consideration in the 2006 regular session to change the composition of the Commission along the lines of this bill. Second, I will direct the Commission to work with the Agency for Health Care Administration, the Department of Transportation, and my Office of Policy and Budget to examine its funding formula to ensure that all funds for the transportation disadvantaged program are distributed in a fair and equitable manner beginning in fiscal year 2005-06. And last, I will direct my agencies that sit on the Commission to be represented by the agency head or a senior level designee, to ensure the State's interests are considered and protected.

For the reasons stated above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 1168, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of Committee Substitute for Senate Bill 1180,

enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to the practice of medicine. . .

This bill modifies the composition of the Board of Medicine, authorizes the Board to develop an externship that may be chosen in place of a residency, and creates a defense for physicians in disciplinary proceedings if they relied in good faith on the representations of a drug manufacturer.

While I support the concept of increased consumer involvement on the Board of Medicine, I have the following concerns with this bill.

First, the "externship" program authorized by the bill bypasses well established procedures for accreditation of physician post-graduate medical training programs (residencies). The bill offers no definition for "externships" and fails to provide sufficient guidance to the Board of Medicine, which is tasked with determining a curriculum that is "substantially equivalent" to residency programs. The Board's expertise does not extend to credentialing of educational programs, nor can it be expected to develop these capabilities. The bill, therefore, jeopardizes time-tested credentialing standards for licensure in Florida in a way that could ultimately affect patient safety.

Second, the bill provides a broad defense for a physician accused of a violation if the wrongdoing was unintentional and the physician relied in good faith on the representations of a drug manufacturer. The scope of this protection is not well defined and it invites litigation.

It is for the reasons above that I withhold my approval of Committee Substitute for Senate Bill 1180.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 10, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 1348, enacted during the 37th Session of the Legislature of Florida and convened under the Constitution of 1968, during the Regular Session of 2005 and entitled:

An act relating to indoor smoking places. . .

On November 5, 2002, voters approved an amendment to the Florida Constitution prohibiting tobacco smoking in enclosed indoor workspaces. The Legislature subsequently enacted Chapter 2003-398, Laws of Florida, to implement the amendment. One provision of the legislation was to provide an exception for "stand-alone bars" at which the service of food was merely incidental to the business. The Legislature defined "merely incidental" to mean that no more than 10 percent of such business' gross revenues is derived from food sales.

Committee Substitute for Committee Substitute for Senate Bill 1348 has two primary objectives. First, it would increase the merely incidental food sales threshold for a stand-alone bar which is located in a building individually listed in the National Historic Register of Historic Places from 10 to 20 percent. Second, the bill provides for enforcement of the statewide smoking ban: a proprietor or other person in charge of an enclosed indoor workplace would have to take certain steps if he or she observes, or is notified of, smoking in violation of the Florida Clean Indoor Air Act.

The bill creates an exception to general law that is narrowly tailored to benefit a handful of (and perhaps as few as one) establishments by allowing as much as 20 percent of such business' gross revenues to come from food sales. I am troubled by the precedent this sets. While I understand the unique challenges that historic buildings face vis-à-vis other establishments due to their near inability to renovate their facilities to ensure compliance with the smoking ban, I believe the current statewide standards are working. Historic buildings face unique challenges as a result of their designation, but they can also reap unique benefits and protections. I do not want to encourage a precedent for creating carve-outs to the current statewide smoking laws.

I am also troubled by the mechanism this bill identifies for enforcement of the statewide smoking ban. Proprietors have an obligation to comply with state law; this bill, however, puts them in the position of enforcing state law. It holds proprietors responsible if their patrons violate the law. Making proprietors enforcement agents of the state is an unusual and troubling precedent.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 1348, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 27, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 1494, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to information technology management. . .

The State Technology Office was established in 2001 as a self-funded, centralized technology office with an emphasis on setting statewide information technology policy and supporting my vision for leveraging technology to enable an enterprise approach to managing information technology. This enterprise approach is intended to centralize information technology management by eliminating agency silos that have proven ineffective and wasteful. Since its creation, the State Technology Office has made progress with regard to enterprise project oversight and information technology management. Recent actions to cancel deficient contracts and redevelop relationships with agencies have been effective. Its oversight and centralized approach is in strong support of my vision for a smaller, more efficient government.

State government presents a very unique and complex business environment and continues to present a difficult challenge. Thus, while the State Technology Office has worked to build consensus for enterprise information technology governance and to provide a sound model for providing information technology services to government entities, its efforts have been slow to gain acceptance. Our environment is naturally resistant to change. Agencies struggle for control of their resources and attempts to centrally manage systems and resources often incite posturing by agencies to avoid losing valuable resources. The State Technology Office has worked hard to overcome these challenges by working as a partner in information technology related matters.

Dissatisfaction with progress so far does not justify legislating the State Technology Office out of existence, which is what Committee Substitute for Committee Substitute for Senate Bill 1494 effectively does. I am fundamentally opposed to a number of the bill's key premises and provisions.

First, the bill represents a paradigm shift, abandoning the enterprise approach to managing the State's technology investments and retreating toward a "stovepipe" technology management system in which each agency develops its own internal information technology governance processes. Instead of focused, enterprise planning, the bill requires agencies to utilize available resources to develop an information technology portfolio management process and project management methodology. These activities, while useful, would be very difficult to coordinate among the agencies and could result in a multitude of incompatible information technology management models. The bill does not define an enterprise-level management process to oversee the agencies.

Creation of an agency-centric, stovepipe approach to managing information technology is detrimental to the State and its citizens because it would preclude any efficiencies that could be realized through enterprise-wide consolidation and coordination of information technology resources.

Second, the bill diminishes the executive's ability to properly organize, oversee and manage information technology projects. While the bill replaces the State Technology Office with the Florida Technology Council within the Department of Management Services and grants authority

for the Governor to appoint a State Chief Information Officer as head of the Council, it diminishes the State Chief Information Officer's authority, removing the Chief Information Officer's agency head status. The bill authorizes \$2 million for the Florida Technology Council, but it grants the Council minimal oversight regarding project management—a function that is crucial to the success of the significant technology projects that are ongoing and planned.

In addition, while the Council is authorized to develop an agency model for information technology investment, the bill fails to grant the Council the authority to mandate the process as an enterprise-wide policy. It does not include provisions granting the Council any authority for the oversight and project management of agency information technology contracts. Large scale, high stakes projects will be left unchecked and may quickly become problematic.

The bill, therefore, limits the executive branch's ability to oversee agency information technology projects by making the State Chief Information Officer, an officer appointed by the Governor, subservient to agencies.

Third, the bill's reinvented stovepipe approach is riddled with more bureaucratic complexity than existed before the State Technology Office was created. For example, the bill requires the Council to perform its duties in consultation with the Agency Chief Information Officers Council and the Technology Review Workgroup and requires the Council to obtain the approval of the Agency Chief Information Officers Council for each of its deliverables.

For the reasons enumerated above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 1494, and do hereby veto the same.

Sincerely,  
*Jeb Bush*, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 1520, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to consumer protection. . .

This bill contains a number of provisions relating to consumer protection activities of the Department of Agriculture and Consumer Services.

While most of the provisions of the bill appear to enhance consumer protection, I have concerns with two provisions.

First, this bill contains a provision that allows the use of "other currency" in arcade games and machines. While proponents of the provision argue that this updates current law to reflect the technological advances of arcade games and machines, they fail to acknowledge that this provision could usher in a major expansion of gambling. The provision would allow arcade operators to set their machines to accept \$5, \$10, \$20, \$100 bills, or even debit cards.

More importantly, this provision would obliterate the bright-line "coin only" rule that law enforcement officers, state prosecutors, and the courts rely on to identify, regulate, and shut down arcades operating illegal slot machines. Instead of trying to help law enforcement deter the use of these arcade games and machines, this provision will give arcade owners a "free spin" to stay in business and may be an incentive for others to get into this market. This is an expansion of gambling and is inconsistent with my long-standing anti-gambling philosophy.

Second, the bill defines "travel clubs" and distinguishes them from "timeshares." I am unconvinced that the regulatory structure contemplated by this bill is in the best interest of the consumer. The proposed provision creates a broad hole in Florida's seasoned regulatory environment, potentially allowing undercapitalized or unscrupulous developers to do business in Florida in all bands of the market.

Other states with large concentrations of timeshares, such as California, have worked with the industry to create a limited exemption for "travel

clubs." The provisions in this bill create an exemption without limits and diminish consumer protections. Until a specific exemption or a more definitive regulatory structure is agreed to by all parties, I am unconvinced that any wide-open exemption is in the best interest of the consumer.

For the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 1520, and do hereby veto the same.

Sincerely,  
*Jeb Bush*, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 15, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you, with my objections, Senate Bill 1678 enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to public school class size. . .

This bill allows a school district that had a portion of its class size reduction operating dollars transferred to a capital outlay fund because it did not comply with class size reduction requirements to have those dollars transferred back to its operating fund if it complies with class size reduction requirements in the subsequent year.

While I am a proponent of providing school districts with as much financial flexibility as possible, I am reluctant to approve this bill because it discourages school districts from enacting prompt and progressive class size reduction strategies.

In 2002, the voters approved an amendment to the State Constitution that prescribes the maximum number of students that may be assigned to each public school classroom by the 2010-2011 school year. The following year, I signed into law a piece of legislation that requires school districts to gradually reduce class sizes until they comply with the requirements of the constitutional amendment. Additionally, the law establishes various degrees of accountability for school districts that fail to gradually reduce class sizes.

School districts seeking relief from having a portion of their class size reduction operating dollars transferred to a capital outlay fund are simply avoiding and delaying the inevitable. Without a modification to the class size constitutional amendment, current law requires school districts that fail to reduce class sizes to implement some very difficult options beginning in the 2006-2007 school year. Such options may include redrawing school attendance zones, offering more than one session of school during the day, implementing a year-round academic calendar, reassigning teachers throughout the district, or rescheduling teacher planning periods.

Because the class size constitutional amendment affords school districts no flexibility in complying with its prescriptive requirements, it is counter productive for policy makers to provide leniency to school districts that fail to gradually reduce class sizes in any given year prior to the 2010-2011 school year. School districts that do not reduce class sizes as statutorily required are less likely to comply with the requirements of the constitutional amendment by the 2010-2011 school year.

By holding school districts less accountable, this bill rewards procrastination. As policymakers we must be willing to make difficult and unpopular choices; otherwise, we will fail to comply with the strict requirements of our State Constitution.

For the reasons provided above, I am withholding my approval of Senate Bill 1678, and do hereby veto the same.

Sincerely,  
*Jeb Bush*, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 27, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Senate Bill 2146, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to state planning and budgeting. . .

Committee Substitute for Senate Bill 2146 implements the provisions of Committee Substitute for Senate Joint Resolution 2144, which has yet to be considered by Florida's voters. Both the joint resolution and the bill significantly revise the state budgeting process. Committee Substitute for Senate Bill 2146 amends the duties, powers, selection and service criteria of the Legislative Budget Commission ("LBC"), creates a Government Efficiency Task Force, creates provisions for the development of a long range financial outlook and requires the financial outlook to be the basis for agency legislative budget requests.

I commend the Legislature's effort to responsibly plan for Florida's fiscal future. Our current year-over-year state revenue growth reflects the strength of Florida's economy. There are also increasing demands upon our resources, so proactive forecasting and planning is essential to the development of sound, long-term, fiscal policy. The bill's focus on long-term planning is welcome and well-intentioned.

However, I am troubled by the bill's circumvention of executive and legislative authority. The bill charges the Legislative Budget Commission, a 14-member body, with preparation of a long-range financial outlook, including forecasts of future needs and associated fiscal strategies. The bill then requires agencies to base their legislative budget requests on this financial outlook. Though perhaps a means of effectuating coordinated planning, it creates an imbalance of power within the branches of government.

Through their elected legislative and executive representatives, all Floridians currently have a fairly equitable voice in the state budget process. Committee Substitute for Senate Bill 2146 would fundamentally alter this equitability by placing development of the state budget primarily in the hands of a 14-member LBC.

Consider the alteration contemplated by this legislation. Currently, each executive agency and the judiciary is responsible for preparing its own budget request based upon the conditions and requirements of existing law. These requests are often the basis for the development of the Governor's proposed budget and the Legislature's analysis thereof.

Under this bill, the fiscal strategies of the LBC, rather than the conditions and requirements of current law, would have predominant influence over the design of budget requests. Committee Substitute for Senate Bill 2146 empowers the LBC by charging it with development of a proposed financial outlook—a planning process and document that would circumvent the ordinary bill process and never even be considered by the full Legislature or subject to executive veto. Its plans or fiscal strategies would have a binding impact on each executive agency's ensuing year budget request. Consequently, 14 legislators would be empowered to frame information resulting in decisions affecting all of state government with little or no input from the other 146 legislators, the Cabinet, the Governor or the judiciary.

This raises significant separation of powers issues: the balance of political power will tip toward a small minority of legislators and necessarily lessen the influence of not only the other branches of government, but the Legislature itself.

While I strongly support the goal of long-term planning and improvements in Florida's budget process, I do not believe changes made by this legislation to the agency budget preparation process are consistent with the separation of powers doctrine.

By working with House and Senate leadership, I am confident that these concerns can be resolved and legislation enacting the financial outlook and other good provisions of this bill can be approved during the next legislative session. However, given my concerns with the processes established in the bill, I am withholding my approval of Committee Substitute for Senate Bill 2146, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 23, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you, with my objections, Committee Substitute for Committee Substitute for Senate Bill 2236, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to tuition rates at state colleges and universities. . .

This bill has two substantive provisions of concern.

First, Committee Substitute for Committee Substitute for Senate Bill 2236 requires students enrolled in a state university or community college to pay a surcharge for credit hours taken in excess of 120 percent of the credit hours needed to earn a degree.

I commend the Legislature for recognizing the importance of ensuring that state university students earn a degree in a timely manner. Providing incentives to state university students to not accumulate excess credit hours will not only reduce unnecessary costs for students, but it will also increase the likelihood that these students will successfully complete their degrees. Furthermore, educating students in a timely manner will utilize university resources more efficiently and thus increase access for prospective students.

However, the bill applies the same excess credit hour policy to both state university and community college students, thus overlooking the very real differences between these two types of students. Students enrolled in community colleges are typically (1) older than the average university student; (2) employed full-time; (3) raising a family; and/or (4) economically disadvantaged. These students are seeking a higher education and additional skills in order to enhance their contributions to society. Requiring these students to pay an excess credit hours surcharge may increase their drop-out rate. I am not willing to take this risk and potentially jeopardize the dreams of thousands of individuals seeking a higher education through our community college system.

In addition, inconsistent terminology in these provisions of the bill would present challenges of interpretation and implementation for both community colleges and universities. For example, the bill requires students to pay a surcharge for certain credit hours "taken" in excess of the credit hours needed to earn a degree. However, the bill exempts certain credit hours "earned" from the number of credit hours needed to earn a degree. Consequently, each state university and community college would have to determine whether students will incur a surcharge for credit hours attempted but not completed or for credit hours successfully completed.

Second, the bill requires state university boards of trustees to establish tuition and fees for graduate, professional, and nonresident students, so long as such tuition and fees do not exceed the average cost of tuition and fees for corresponding programs at public institutions that are members of the Association of American Universities (AAU), to which a majority of our state universities do not belong.

I am supportive of more market-driven tuition and fee policies that provide flexibility in exchange for greater accountability. However, this bill does not provide either. In addition to a lack of recognition of the Board of Governors' shared role in tuition and fee policy, this bill contains several substantive deficiencies. For example, the AAU does not publish the tuition and fee data of its member institutions or calculate the average cost of tuition and fees for corresponding programs. The bill thus references a nonexistent data source. This bill also does not define the term "corresponding program," even though it requires each state university to establish tuition and fees based upon this term. Currently, state universities classify academic programs into three levels pursuant to federal data reporting requirements. An estimated 400+ academic programs exist for which average tuition and fees could be calculated.

Finally, the bill's classification categories invite confusion and could lead to disparate treatment of students across the state. Certain students could qualify for more than one of the classifications (for example, nonresident and graduate student) and classifications could be segregated into several sub-classifications (professional students include medical, law, and dental students). Without further clarification of the Legislature's intent, each state university would interpret and implement the

provisions of the bill in a way that would surely create inconsistency throughout the system.

Again, I am generally supportive of certain policy objectives contained in this bill; however, for the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 2236, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 23, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 2264, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to the payment of instructional costs for students. . .

This bill has two substantive provisions of concern.

First, the bill attempts to create a definitive process for determining when a student who moves to Florida has sufficiently demonstrated intent to become a Florida resident for tuition purposes at a state university or community college.

I commend the Legislature for recognizing that only true state residents attending Florida's state universities and community colleges should be allowed to pay the resident tuition rate. It is apparent to me that current residency classification criteria and procedures are unclear and inconsistently applied, thereby jeopardizing the accuracy of residency determinations. As policy makers, we should strive to offer our true state residents the opportunity to receive a higher education at a reasonable cost before we extend this opportunity to nonresidents.

However, the bill requires nonresident students seeking to be reclassified as residents for tuition purposes to document "permanent, full-time employment in this state and domicile in this state for 12 consecutive months while not enrolled full-time at an institution of higher education." However, if a student is claimed as a dependent by a parent, then the parent must comply with the "employment" criterion in order for the student to be reclassified as a resident. Consequently, the dependent children of a retiree or a part-time employee would be denied the same benefit as the dependent children of a full-time employee. I see no reason to classify students differently from each other based on such a criterion.

Additionally, allowing a student to be reclassified as a resident if he or she is "not enrolled full-time at an institution of higher education" would cause disparities in the way students are evaluated for residency. Current law defines an "institution of higher education" as a public community college or state university. Thus, a student who is enrolled at a private college or university would be eligible to be reclassified as a resident while a student who is enrolled full-time at a community college or state university would be ineligible.

Current law and/or current enforcement efforts seemingly invite abuse. But if statutory changes need to be made, we should make certain that they are clear, fair, and recognize the diversity of people who move to and enrich our state every day.

Second, the bill requires state university boards of trustees to establish tuition and fees for graduate, professional, and nonresident students, so long as such tuition and fees do not exceed the average cost of tuition and fees for corresponding programs at public institutions that are members of the Association of American Universities (AAU), to which a majority of our state universities do not belong.

I am supportive of more market-driven tuition and fee policies that provide flexibility in exchange for greater accountability. However, this bill does not provide either. In addition to a lack of recognition of the Board of Governors' shared role in tuition and fee policy, this bill contains several substantive deficiencies. For example, the AAU does not publish the tuition and fee data of its member institutions or calculate the average cost of tuition and fees for corresponding programs. The bill thus references a nonexistent data source. This bill also does not define

the term "corresponding program," even though it requires each state university to establish tuition and fees based upon this term. Currently, state universities classify academic programs into three levels pursuant to federal data reporting requirements. An estimated 400+ academic programs exist for which average tuition and fees could be calculated.

Finally, the bill's classification categories invite confusion and could lead to disparate treatment of students across the state. Certain students could qualify for more than one of the classifications (for example, non-resident and graduate student) and classifications could be segregated into several sub-classifications (professional students include medical, law, and dental students). Without further clarification of the Legislature's intent, each state university would interpret and implement the provisions of the bill in a way that would surely create inconsistency throughout the system.

Again, I am generally supportive of certain broad policy objectives contained in this bill; however, for the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 2264, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

May 26, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 2268, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to athletic trainers. . .

Senate Bill 2268 revises a number of provisions relating to athletic trainers, primarily revising the educational requirements required for licensure.

I am generally concerned with the growing use of state licensure to create modern guilds and protect market interests of select groups. Proposals to expand state licensure of a profession should meet the same criteria already in place in statute for the creation of new professional regulation, specifically:

- Statutory changes should prevent or limit the potential for a substantial risk of harm to the public.
- The skill the profession requires is specialized and readily measurable.

In applying these standards, I have the following objections to this bill.

First, there is no evidence of any pending risk to the public under the current regulations.

Second, "athletic training" is so broadly defined in the bill that it may capture a number of activities regularly performed by parents and volunteers, such as taping the finger of a five-year old child at a rocket football game. The state ought to encourage, rather than discourage, volunteerism at athletic events. This bill subjects volunteers to the fear of criminal prosecution.

Third, this provision attempts to further the continuing and troubling trend of criminalizing activities that are not inherently harmful or wrong. State licensure should only be required to protect the public, and must not be used to protect members of a profession from the supposed indignity of seeing volunteers perform tasks associated with that profession without compensation.

For the reasons provided above, I am withholding my approval of Senate Bill 2268, and do hereby veto the same.

Sincerely,  
Jeb Bush, Governor

The Honorable Glenda E. Hood  
Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of Senate Bill 2452, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to pharmacy technicians. . .

This bill allows a pharmacy technician to initiate or receive requests for original prescriptions when dispensing for nonhuman use, lowers the supervision ratio of pharmacists to pharmacy technicians when dispensing for nonhuman use to 1:5, and authorizes a pharmacy to dispense a prescription for nonhuman use pursuant to a facsimile prescription without receipt of the original prescription.

In general, I do not support the overall purpose of the bill, which is to establish a lower standard for pharmacies when dispensing medications for nonhuman use. In addition, I have the following specific concerns with this bill:

First, the bill authorizes pharmacy technicians to initiate or receive prescriptions for nonhuman use. Under current law, only a pharmacist may initiate or receive prescriptions, whether for nonhuman or human use; a pharmacy technician is limited to refilling prescriptions. A pharmacist, unlike a pharmacy technician, is a licensed health care professional who holds an undergraduate degree, is subject to discipline by the Board of Pharmacy, and is required to complete biennial continuing education requirements. By greatly expanding prescribing authority for unlicensed pharmacy personnel, this provision will likely lead to drug diversion.

Second, the bill lowers the supervision ratio of pharmacists to pharmacy technicians when dispensing for nonhuman use to 1:5. Under current law, the supervision ratio of pharmacists to pharmacy technicians is 1:3 when dispensing for nonhuman and human use. As many pharmacies dispense prescriptions for human and non-human use, these inconsistent supervision ratios will make the Department of Health's efforts to ensure compliance considerably more difficult.

Last, the bill expands the authority of a pharmacy to dispense medications, including Schedule II controlled substances, based solely on the receipt of a faxed prescription form. Under current state and federal law, medications may be dispensed if the prescription is transmitted by fax by the prescriber, and only in certain situations. Otherwise, the pharmacy must possess the original prescription form prior to dispensing the medications. The bill would expand the authority of a pharmacy to dispense medications based on the receipt of a faxed prescription form when dispensing for nonhuman use. This provision may also lead to drug diversion and increase the possibility of fraud and abuse.

It is for the reasons above that I withhold my approval of Senate Bill 2452.

Sincerely,  
*Jeb Bush*, Governor

The Honorable Glenda E. Hood  
Secretary of State

May 26, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of portions of Senate Bill 2600, enacted during the 37th Session of the Legislature convened under the Constitution of 1968, and entitled:

An act making appropriations; providing monies for the annual period beginning July 1, 2005, and ending June 30, 2006, 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.

The 2005-06 General Appropriations Act was crafted in two contexts that have shifted the way Floridians perceive their state budget. First, the four hurricanes of 2004 clarified how critical state resources are when disaster strikes our state, and how necessary they are to rebuild

Florida's infrastructure and renew opportunities for all our people. Senate Bill 2600 builds on commitments made during the current fiscal year to respond to the greatest series of natural disasters in Florida's history.

Second, Florida received welcome news from Wall Street that recognized Florida's continuing commitment to fiscal discipline in our state. Moody's Investors Service, Standard and Poor's and Fitch Ratings all upgraded the credit ratings for Florida's bonds this year. These moves reflect our state's moderate debt burden, sound financial management practices, sizable reserves and robust economy. They are a testament to the fiscal partnership built between the executive and legislative branches of our state government since 1999.

Fiscal discipline is measured by how a budget prioritizes the funds available to spend, and by this standard Senate Bill 2600 extends Florida's commitment to fiscal discipline. The Legislature rightly prioritized the building and rebuilding of Florida's infrastructure, not only in this bill and in response to the hurricanes, but also in Senate Bill 360 in response to infrastructure needs associated with true growth management. These commitments will expand individual opportunity, enhance our quality of life and make our state more attractive for private sector investment.

Fiscal discipline is also demonstrated by maintaining strong reserves. The current fiscal year will end with \$5.5 billion in reserves, including record, post-session working capital fund reserves of \$1.4 billion. These reserves represent a significant hedge against fiscal uncertainty.

Lastly, Senate Bill 2600 supports Floridians in a responsible way. Not every conceivable benefit to Floridians should be funded by Florida's taxpayers. However, the state must support the enduring commitments such as education, environmental restoration, public safety and support for our military. Moreover, millions of Floridians depend on state health and human services that represent the last line of defense against destitution and help empower these individuals to live life more fully.

Senate Bill 2600 funds programs that do not meet my approval, either because they do not meet the general or the specific criteria listed in this message. My constitutional role in this process is to evaluate each individual project, and some, upon evaluation, must be vetoed. These vetoes, however, do not obscure the fact that the House and Senate crafted a budget that funds the state's priorities. For that our legislators have earned my thanks for a job well done.

#### Criteria for Member Projects

During the past several years I have established criteria which I use to evaluate member projects. Prior to the 2005 Legislative session, these criteria were communicated to legislators, and are reiterated here.

In general, all member projects should:

- Fall within the statewide policy priorities established by the Governor and the Legislature;
- Only be funded from nonrecurring revenues;
- Not have large or unidentified required costs in the years after the budget year under consideration;
- Have purposes and goals consistent with the agency in which the project is funded;
- Adhere to performance requirements established in agency contracts for the services performed;
- Be funded within the entity (agency, division, etc.) with the greatest policy expertise to implement or oversee the project; and
- Not contain fixed capital outlay unless it is for the construction, improvement, maintenance or repair of state-owned infrastructure or other facilities as authorized by general law.

In addition to these general criteria, I have established other criteria that are contained within the body of this veto message, for specific types of projects such as education fixed capital outlay, health and human services programs, juvenile justice programs, water projects, domestic security initiatives and transportation projects. Notwithstanding all these criteria, however, I reserve the right to exercise my constitutional authority to veto any project that in my estimation fails to promote sound policy or good government.

For these reasons, and for those which follow, I do hereby withhold my approval of the following line items in the 2005-06 General Appropriations Act:

**SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND****Specific Appropriation 6A  
Page 3**

"6A AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS  
FROM EDUCATIONAL ENHANCEMENT TRUST FUND 821,249

Funds provided in Specific Appropriation 6A are provided for an electronic web-based library pilot project for high schools. The pilots shall consist of school districts: large, medium, and small. All districts shall be provided information about this pilot project and shall be given the opportunity to indicate whether they wish to participate. From the districts expressing a desire to participate, the Department of Education shall make the final selection of the pilot districts. The department shall request providers of electronic online libraries for high school students to submit proposals for conducting the pilots which include, but are not limited, to full-text books and staff development activities for teachers utilizing the pilot. From the proposals received, representatives from the participating school districts and the department shall jointly agree which of the proposals are deemed to be most appropriate to be piloted in Florida's high schools. The pilot project shall be designed to include an independent assessment of the cost effectiveness of electronic online library services for high school student instruction. Representatives of the school districts and the department shall provide to the Governor and the Legislature, by December 31, 2006, a report containing a summary of the pilot project; conclusions about its impact on student instruction; recommendations for funding the web-based library; and guidance for any school district that may wish to consider providing its students access to online library services."

**SECTION 2 - EDUCATION (ALL OTHER FUNDS)**

Education Projects: Senate Bill 2600 furthers Florida's priorities for the state's K-20 educational system. While many projects help achieve our educational priorities, others do not, such as funding for several educational facilities projects which did not follow the established facilities review process or meet a critical state need. The facilities review process provides a thoughtful, long-range examination of funds forecast for educational facilities construction and ensures that construction projects which meet critical state needs are approved only to the extent the completion of the project may be funded in a reasonable timeframe. The budget includes a number of projects that are outside the normally accepted recommendation process, placing additional demands on General Revenue and the Public Education Capital Outlay trust fund in future years.

For these reasons, I do hereby veto the following items:

**Specific Appropriation 19  
Pages 8 through 11 - A portion of proviso language**

"Performing Arts Building 600 Replacement 3,500,000"

"Clsrms/Labs/Sup Svcs - Wesley Chapel Center partial (spc) 496,548"

**Specific Appropriation 20  
Page 11 - A portion of proviso language**

"Center for Marine Science and Biology Planning (P) 2,000,000"

"PCC Administrative Services Center (C, E) 2,525,000"

"Visual and Performing Arts Teaching Facility (P) 1,000,000"

"HMS Building Remodeling (P,C,E) 1,887,143"

"Archeology Institute Facility (P) 225,000"

**Specific Appropriation 58A  
Page 18**

"58A SPECIAL CATEGORIES  
GRANTS AND AIDS - ACCELERATED BACHELORS IN  
NURSING PROGRAM AT THE UNIVERSITY OF MIAMI  
FROM GENERAL REVENUE FUND 500,000"

**Specific Appropriation 62  
Page 19 - A portion of proviso language**

“, and \$800,000 is provided for the Nova Southeastern Nursing School”

**Specific Appropriation 62A  
Page 19**

"62A SPECIAL CATEGORIES  
LECOM / FLORIDA - HEALTH PROGRAMS  
FROM GENERAL REVENUE FUND 325,111

Funds provided in Specific Appropriation 62A shall be used to support Florida residents in student rotation in public health units that are enrolled in the Florida branch of the Lake Erie College of Osteopathic Medicine. The college shall submit enrollment information for Florida residents to the Department of Education, prior to January 1, 2006.”

**Specific Appropriation 86  
Page 25 - A portion of proviso language**

"Junior Achievement 500,000  
Positive Leaders 300,000  
Miami Museum of Science Youth Mentoring Program 100,000"

**Specific Appropriation 87A  
Page 26 - A portion of proviso language**

"LEP Student Reading Pilot Program 1,000,000"

“The LEP Student Reading Pilot Program shall use internet delivered technology to teach reading to Limited English Proficiency (LEP) students in grades four through ten. The pilot program must be interactive, self-paced, and contain multimedia and multicultural content. It must be adaptable for students at various levels of English proficiency. It must be available to students 24 hours a day and be accessible via the internet. It must be designed to align with the Florida Sunshine State Standards for reading and literature. It must be designed to utilize literature from various genres to provide the vocabulary and background necessary for LEP students' success in other subjects. The pilot program must provide teachers with on-line assessment tools to monitor daily and weekly individual student and class performance in vocabulary and reading comprehension. It must also provide teachers with on-line and printable lesson plans. The program shall be provided at a cost not to exceed \$70 per child per year including professional development training, and shall be implemented by grants administered by the Department of Education in schools in at least one small district, one medium district, and one large district.”

**Specific Appropriation 98  
Page 28 - A portion of proviso language**

"Florida School Boards Association Training 290,400"

**Specific Appropriation 99  
Pages 28 and 29 - A portion of proviso language**

"Bay High Magnet Programs 100,000  
Putnam County - Crescent City Junior-Senior High Emergency  
Preparation Program 450,000  
Florida Aquarium Teacher Program 250,000  
Prekindergarten Demonstration Pilot Project 850,000"

"Seminole High School Reading Initiative 250,000  
Mathematics and Science Commission 230,000"

"Science Comes to Life at Metro Zoo 547,000  
Embry-Riddle Engineering/Physics Career Launch 300,000"

"Project Child 500,000  
Rio Grande Charter School 125,000  
SeaTrek Distance Learning 275,000  
WPPB-TV BECON Educational Programming 250,000"

FCAT Recovery Program	400,000
Miami Beach After School Programs	100,000
Pre-K Digital Academy	50,000
Creating Opportunities that Result in Excellence (CORE)	200,000
School Safety/Emergency Preparedness System	500,000"
"Monroe District Schools Special Academic Incentive Grant	1,000,000
Youth Build Outreach	50,000
Russell Reading Room	100,000

Funds provided in Specific Appropriation 99 for a School Safety/Emergency Preparedness System are for pilot implementation of an immediate response information system in one or more school districts. The system will serve to enhance the safety of school children in emergency situations, such as impending hurricane and severe weather, fire, bomb, homeland security and other critical school safety events. The system must be real-time and multi-lingual with the ability to notify parents of emergency and non-emergency situations in at least ten different languages through email, telephone, PDAs, and other communications devices. To allow for early implementation, all funds shall be under contract no later than September 15, 2005."

**Specific Appropriation 117A**  
**Page 34 - A portion of proviso language**

"From the funds provided in Specific Appropriation 117A, \$300,000 is for the SABER Nursing Program."

**SECTION 3 - HUMAN SERVICES**

**Health and Human Services Projects:** Senate Bill 2600 furthers Florida's priorities in health and human services, including: child welfare; minority health care; services to persons with developmental disabilities; mental health and substance abuse services; and long-term elder care services. While many projects help achieve our established statewide goals, others do not. These include funding for fixed capital outlay for facilities not owned by the state; projects not within the mission of the agency in which they were funded or in appropriately placed within the agency; funding for services that are already funded on a statewide basis; projects that inequitably augment one area of the state over another; or projects more appropriately funded from other sources such as private foundations or local government.

For these reasons, I do hereby veto the following items:

**Specific Appropriation 157**  
**Page 48 - A portion of proviso language**

"From the funds in Specific Appropriation 157, \$150,000 from the General Revenue Fund is provided to fund the Amelia Park Telemedicine Demonstration Project."

**Specific Appropriation 169**  
**Page 50 - A portion of proviso language**

"From the funds in Specific Appropriation 169, \$2,412,000 from the General Revenue Fund and \$2,412,000 from the Administrative Trust Fund are provided for a demonstration project to reduce geriatric falls among community-based Medicaid beneficiaries at risk of falls and who reside in Broward and Miami-Dade counties.

From the funds in Specific Appropriation 169, \$1,000,000 from the Tobacco Settlement Trust Fund and \$1,000,000 from the Administrative Trust Fund are provided for a demonstration project to reduce geriatric falls among community-based Medicaid beneficiaries at risk of falls and who reside in Hillsborough, Palm Beach, Pasco, Pinellas and Polk counties.

From the funds in Specific Appropriation 169, \$1,131,621 from the General Revenue Fund and \$1,131,620 from the Administrative Trust Fund may be used by the agency to continue the existing contract for an independent estimate of the growth in Medicaid expenditures for Fiscal Years 2005-2006 and 2006-2007. This spending authority shall allow for an updated projection of Medicaid expenditures and a comparison of the initial projection to actual Medicaid expenditures using six months of actual claims.

From the funds in Specific Appropriation 169, \$200,000 in non-recurring tobacco settlement funds are provided to the Health Planning Council of Southwest Florida for the purpose of an uninsured

health care study in Charlotte, Collier and Lee counties. The appropriation is eligible for matching funds from a not-for-profit private foundation.

From the funds in Specific Appropriation 169, \$101,929 from the General Revenue Fund is provided for JaxCare to provide services to uninsured, low-income individuals."

**Specific Appropriation 183**  
**Page 52 - A portion of proviso language**

"By September 30, 2005, the agency shall issue an invitation to negotiate to contract for the delivery of comprehensive vision care services to Medicaid recipients under the age of 18 through a capitated, prepaid arrangement. As used in this paragraph, "vision care services" shall mean covered routine and medical/surgical vision care services available to Medicaid recipients.

Beginning July 1, 2005, the agency shall conduct an application process to obtain managed dental care providers for Medicaid recipients in Areas 9 and 10."

**Specific Appropriation 190**  
**Pages 53 through 57 - A portion of proviso language**

"From the funds in Specific Appropriation 190, up to \$1,027,750 from the Grants and Donations Trust Fund and \$1,472,250 from the Medical Care Trust Fund are provided to make special Medicaid payments to hospitals providing services to low-income working uninsured residents in Miami-Dade County. The agency shall seek approval of this provision from the Centers for Medicare and Medicaid Services in a state plan amendment subsequent to receiving approval for the State Fiscal Year 2005-2006 Medicaid upper payment limit program."

**Specific Appropriation 215**  
**Pages 62 and 63 - A portion of proviso language**

"Funds in Specific Appropriation 215 include \$400,000 from the Tobacco Settlement Trust Fund and \$573,236 from the Medical Care Trust Fund to provide funding for the new hospice-based PACE program to serve eligible residents in Martin County and contiguous counties that were approved by the 2004 Legislature to open in 2005.

Funds in Specific Appropriation 215 include \$400,000 from the Tobacco Settlement Trust Fund and \$573,236 from the Medical Care Trust Fund to provide funding for the new hospice-based PACE program to serve eligible residents in Lee County and contiguous counties that was approved by the 2004 Legislature to open in 2005."

**Specific Appropriation 326**  
**Pages 75 and 76 - A portion of proviso language**

"Ruth Cooper Center - Lee, Charlotte, Collier, Glades, Hendry	500,000
Community Crisis Response Team - Statewide	250,000
Crisis Stabilization and Support Services - Franklin, Gadsden, Jefferson, Leon, Madison, Taylor, Wakulla"	500,000

"Fellowship House Residential Program Improvement - Miami Dade	200,000"
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**Specific Appropriation 332**  
**Page 76 - A portion of proviso language**

"Mental Health Services for Indigent, Uninsurable Minority Children - Miami-Dade	100,000"
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**Specific Appropriation 351**  
**Page 79 - A portion of proviso language**

"Mothers and Infants - Brevard, Indian River, St. Lucie	100,000"
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**Specific Appropriation 378**  
**Page 82 - proviso language**

"In addition to any existing funding, the following projects from Specific Appropriation 378 are funded from non-recurring general revenue funds:

Florida Association of Food Banks - Broward 50,000

In addition to any existing funding, the following projects from Specific Appropriation 378 are funded from non-recurring tobacco settlement funds:

Interfaith Council for Community Improvement - Hillsborough 100,000  
Hillsborough County Community Voicemail 150,000"

**Specific Appropriation 400**  
**Page 84 - A portion of proviso language**

"From the funds in Specific Appropriation 400, \$2,000,000 in non-recurring general revenue is provided to the Department of Children and Family Services for a one-time payment of unused annual and sick leave for eligible employees at the South Florida Evaluation and Treatment Center."

**Specific Appropriation 426**  
**Pages 87 and 88 - A portion of proviso language**

"Howard C. Forman Affordable Senior Residences (Broward) 206,101"

"South Florida Naturally Occurring Retirement Communities (NORC) Demonstration Project (Dade, Broward, Palm Beach) 900,000"

"Older Adult Planning Project (Bay, Hillsborough, Lee) 600,000"

**Specific Appropriation 428A**  
**Page 88**

"428A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SPECIAL PROJECTS FOR THE ELDERLY FROM GENERAL REVENUE FUND 300,000  
FROM TOBACCO SETTLEMENT TRUST FUND 25,000

From the funds in Specific Appropriation 428A, non-recurring General Revenue funds are provided for the following projects:

Lifestyle Enrichment Center (Columbia) 50,000  
Lauderdale Lakes Alzheimer Day Care (Broward) 250,000

From the funds in Specific Appropriation 428A, non-recurring Tobacco Settlement funds are provided for the following project:

Madison County Senior Services 25,000"

**Specific Appropriation 477**  
**Page 93 - A portion of proviso language**

"Cervical Cancer Elimination Task Force (Statewide) 30,000"

"Enhancing Education Through Alachua Southwest Social Services - Alachua 150,000  
Sickle Cell Disease Screening - Volusia 12,500"

**Specific Appropriation 495**  
**Page 95 - proviso language**

"In addition to the recurring projects funded in the base budget, the following project is funded from non-recurring general revenue funds in Specific Appropriation 495:

Polk County AIDS Initiative 350,000"

**Specific Appropriation 525**  
**Page 97 - A portion of proviso language**

"Graduate Medical Education - Sun Coast Hospital - Dade 575,000"

"Iset Cell Transplantation - Broward 400,000"

**Specific Appropriation 526A**  
**Page 97**

"526A SPECIAL CATEGORIES GRANTS AND AIDS - PEPIN HEART INSITUTE UNIVERSITY COMMUNITY HOSPITAL - HILLSBOROUGH FROM GENERAL REVENUE FUND 2,000,000"

**Specific Appropriation 527A**  
**Page 98 - A portion of proviso language**

"In addition to the recurring projects funded in the base budget, the following projects are funded from non-recurring general revenue funds in Specific Appropriation 527A:

Tampa Health Center - Hillsborough 1,800,000  
Zellwood Health Center - Orange 250,000  
Miami Children's Hospital Pediatric Brain Tumor Institute - Dade 500,000"

"Madison County Memorial Health Scan Renovation 25,000  
Madison County Memorial Health Radiographic Room 25,000"

**Specific Appropriation 547**  
**Pages 100 and 101 - proviso language**

"In addition to the recurring projects funded in the base budget, the following project is funded from non-recurring general revenue funds in Specific Appropriation 547:

Joe Dimaggio Children's Hospital Craniofacial Program - Broward 200,000"

**Specific Appropriation 552**  
**Page 101 - A portion of proviso language**

"Pediatric Cardiovascular Program of North Florida - Baker 250,000  
Pediatric Hematology, Children's Hospital of SW Florida Charlotte 50,000"

**Specific Appropriation 558**  
**Pages 101 and 102 - proviso language**

"In addition to the recurring projects funded in the base budget, the following project is funded from non-recurring general revenue funds in Specific Appropriation 558:

Florida Poison Information Center Network - Statewide 400,000"

**Specific Appropriation 569**  
**Page 103 - proviso language**

"From the funds in Specific Appropriation 569, \$250,000 in non-recurring general revenue funds is provided to contract with Palm Healthcare Foundation to conduct a three-year clinical study of nurse staffing models in health care facilities in Palm Beach County to determine the efficacy of those staffing models. The contract is contingent on Palm Healthcare providing a match for the state funding to be used in the second and third years of the study. The hospital facilities will provide in-kind support for the study. A report shall be submitted to the President of the Senate, the Speaker of the House and the Governor by March 1 of each year of the study."

**Specific Appropriation 582**  
**Page 104 - A portion of proviso language**

"In addition to the recurring projects funded in the base budget, the following projects are funded from non-recurring general revenue funds in Specific Appropriation 582:

Good Samaritan Clinic - Pasco 350,000  
Beverly Press Center - Miami-Dade 200,000"

**Specific Appropriation 595**  
**Page 105 - proviso language**

"In addition to the recurring projects funded in the base budget, the following projects are funded from non-recurring general revenue funds in Specific Appropriation 595:

University of Miami Brain and Spinal Cord Research and Development (Dade) 926,000  
University of Florida Brain and Spinal Cord Research and Development (Alachua) 500,000"

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**SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS**

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**Specific Appropriation 784A**  
**Page 125 - A portion of proviso language**

"Reentry Initiative Program 150,000"

**Specific Appropriation 787**

**Page 126 - A portion of proviso language**

"Pride and Jade Program 175,000  
Treatment Services for Chronic Misdemeanor Offenders  
with Mental Illness and/or Substance Abuse 150,000"  
"Village Jail Diversion Program 100,000  
Alternatives to Incarceration (ATI) 100,000"

**Specific Appropriation 827**

**Page 129 - proviso language**

"From funds in Specific Appropriation 827, \$500,000 from non-recurring general revenue is provided for the Criminon Offender Training Program."

**Specific Appropriation 830**

**Page 130 - proviso language**

"From the funds in Specific Appropriation 830, \$100,000 in non-recurring general revenue shall be used for the Cuban American Bar Association Pro Bono Project."

**Specific Appropriation 833**

**Page 130 - proviso language**

"From the funds in Specific Appropriation 833, \$131,681 in non-recurring general revenue is provided for the Manatee Citizens Review Panel."

Juvenile Justice Projects: In the last six years, the Department of Juvenile Justice has had significant success in its mission "to reduce juvenile crime," despite an increase in the at-risk population. Expanding on this success, this budget provides continued and new funding across the juvenile justice continuum, including: detention, prevention, probation, and commitment with overlay services such as substance abuse and mental health treatment.

As in the past, all funding for juvenile justice projects must support the core mission of the agency. Department of Juvenile Justice programs should benefit youth who have three out of four identified risk factors associated with becoming a chronic offender. I must therefore withhold approval for any juvenile justice projects that do not meet these criteria. In addition, I am withholding approval of any projects that funded new or expanded programs requiring recurring funds.

For these reasons, I do hereby veto the following items:

**Specific Appropriation 1072**

**Page 158 - A portion of proviso language**

"and \$200,000 from non-recurring general revenue is provided for the Village Inn for Boys at the Miami-Dade detention center.

From the funds in Specific Appropriation 1072, \$1,000,000 from recurring general revenue is provided for the Girls' Advocacy Program (GAP) Statewide Expansion."

**Specific Appropriation 1074**

**Page 158 - proviso language**

"From the funds in Specific Appropriation 1074, \$500,000 from the General Revenue Fund is provided for a contract with a private sector vendor to develop criteria and provide oversight for psychiatric testing for juveniles housed in the regional detention centers. The vendor must be a licensed third party administrator or a certified private review agent that is accredited by the National Committee for Quality Assurance and accredited by the Utilization Review Accreditation Committee. The contract must be awarded pursuant to a Request for Proposals as defined by section 287.057, Florida Statutes."

**Specific Appropriation 1076A**

**Pages 158 and 159**

"1076A SPECIAL CATEGORIES  
GRANTS AND AIDS - CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND 2,200,000  
FROM SHARED COUNTY/STATE JUVENILE  
DETENTION TRUST FUND 500,000"

Funds in Specific Appropriation 1076A are provided for electronic monitoring and may include traditional radio frequency monitoring and/or Global Positioning System (GPS) monitoring. Funds in Specific Appropriation 1076A shall be expended pursuant to contracts awarded on a regional basis pursuant to Requests for Proposals as defined in section 287.057, Florida Statutes."

**Specific Appropriation 1076R**

**Page 160**

"1076R GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
PINELLAS MARINE INSTITUTE PANAMA KEY  
ISLAND POWER LINE PROJECT 250,000"  
FROM GENERAL REVENUE FUND

**Specific Appropriation 1124A**

**Pages 162 and 163 - A portion of proviso language**

"Twin Oaks Intensive Short-Term Pilot 100,000"

**Specific Appropriation 1128B**

**Page 163**

"1128B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
FACILITY RENOVATIONS AND REPAIRS - ECKERD  
YOUTH ALTERNATIVES 500,000"  
FROM GENERAL REVENUE FUND

**Specific Appropriation 1146**

**Pages 165 and 166 - A portion of proviso language**

"Youth Advocate Programs, Inc 450,000  
Youth Crime Watch Of Florida 200,000"

"City Police Athletic League Programs In Brevard County  
Program Smart 210,000  
100,000"

"African American Female Delinquency Program 100,000  
Intergenerational Mentoring 25,000  
New Horizons 50,000  
Aspira 75,000  
The Village Inn Home Services 100,000  
Youth Intervention And Diversion Program 260,000  
Big Brothers/Big Sisters Program-Statewide 100,000  
Peggy Mitchell Peterman Empowerment Center For Advanced  
Learning 100,000  
Florida Christian Social Service Project 200,000  
Helping Youth Promote Excellence 50,000  
Journalism Arts & Music Program 100,000  
Tutorial Educational Recreation Program 200,000  
From Black Boy To Black Man 34,000  
Regional Juvenile Crime Prevention Initiative 175,000  
Vocational/Entrepreneurial Training Program For Juvenile  
Offenders 150,000  
Pack Summer Camp 50,000  
Boys And Girls Club Of Bay County 200,000  
Reconnecting Youth 62,000  
Community Youth Center 100,000  
Dixie County District Four Community Center Program 100,000  
5000 Role Models Of Excellence Project Expansion 200,000  
Club FYT 75,000  
Where You At Youth Program 90,000  
After School Tutorial Program - City of Hallandale Beach 100,000  
Child Development Community Policing (CD-CP) 100,000  
Father Flanagan's Girls and Boys Town of Central Florida 100,000  
POPS Program 245,000  
Lowry Park Zoo Juvenile Program 250,000  
Youth Build Outreach 200,000  
Community Action Agency Youth Leadership Project 60,000"

**Specific Appropriation 1150A**

**Page 166**

"1150A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
CLEARWATER YOUTH CRISIS AND FAMILY  
COUNSELING CENTER 250,000"  
FROM GENERAL REVENUE FUND

**Specific Appropriation 1201**  
**Pages 170 and 171 - A portion of proviso language**

"Miami Police International Training Center / Emergency Operations Center	250,000"
"Florida DARE Officers Association (Statewide)	75,000
Livescan Fingerprint Capture Machine	50,000
Automated External Defibrillator in Law Enforcement Vehicles Grant Program	1,000,000
Focused Community Oriented Policing Program (FCOPP)	50,000
Ft. Lauderdale Airport Security	50,000
Communications Tower Coral Gables	250,000
One Stop Domestic Violence and Sexual Assault Center	25,000
Law Enforcement Live Scan	100,000
Miami Gardens Public Safety Initiative	75,000
Training Tower and Burn Building	50,000
Mobile Vehicle Repeater System	60,800
Escambia Sheriff Firing Range	125,000
Brevard County Traffic Enforcement Initiative	50,000"

**Specific Appropriation 1284**  
**Pages 178 and 179 - proviso language**

"From the funds in Specific Appropriation 1284, \$150,000 in non-recurring general revenue is provided for the Council on the Social Status of Black Men and Boys. The council shall make a systematic study of conditions affecting African-American men and boys, including, but not limited to, homicide rates, arrest and incarceration rates, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including post-secondary education, and health issues. The council shall submit a report, prior to the 2006 regular Legislative Session, to the Governor, President of the Senate, and Speaker of the House of Representatives on proposed measures to alleviate and correct underlying causes or conditions affecting African-American men and boys."

**SECTION 5 - NATURAL RESOURCES / ENVIRONMENT / GROWTH MANAGEMENT / TRANSPORTATION**

**Specific Appropriation 1315**  
**Page 182**

"1315 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM AGRICULTURAL LAW ENFORCEMENT TRUST FUND	72,000
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	450,000"

**Specific Appropriation 1358A**  
**Page 186**

"1358A FIXED CAPITAL OUTLAY ROAD IMPROVEMENTS - BLACKWATER RIVER STATE FOREST FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	700,000"
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**Specific Appropriation 1365A**  
**Page 186**

"1365A SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INCIDENTAL TRUST FUND	806,000"
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**Specific Appropriation 1384**  
**Page 188**

"1384 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM CONTRACTS AND GRANTS TRUST FUND	17,500
FROM GENERAL INSPECTION TRUST FUND	48,750
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	17,500"

**Specific Appropriation 1391A**  
**Page 189**

"1391A SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	445,000
FROM CONTRACTS AND GRANTS TRUST FUND	842,889
FROM PEST CONTROL TRUST FUND	80,635"

**Specific Appropriation 1419A**  
**Page 192**

"1419A SPECIAL CATEGORIES FLORIDA 4-H TRAINING INSTITUTE FROM GENERAL REVENUE FUND	90,000"
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**Specific Appropriation 1419B**  
**Page 192**

"1419B SPECIAL CATEGORIES STATEWIDE DISTANCE EDUCATION NETWORK FROM GENERAL REVENUE FUND	525,000"
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**Specific Appropriation 1430A**  
**Page 193**

"1430A FIXED CAPITAL OUTLAY REPAIRS AND RENOVATIONS - STATE FARMERS' MARKET - DMS MGD FROM GENERAL REVENUE FUND	500,000"
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**Specific Appropriation 1435**  
**Page 193**

"1435 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	94,167"
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**Specific Appropriation 1445**  
**Page 194**

"1445 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	14,580
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	50,000"

**Specific Appropriation 1453**  
**Page 195**

"1453 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	94,166"
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**Specific Appropriation 1453A**  
**Page 195**

"1453A SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA PORK PRODUCERS FROM GENERAL REVENUE FUND	300,000
FROM ADMINISTRATIVE TRUST FUND	300,000

Funds in Specific Appropriation 1453A shall be used by the Department of Agriculture and Consumer Services to fund the Florida Pork Producers Transition Grant Program."

**Specific Appropriation 1461**  
**Page 196**

"1461 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM CITRUS INSPECTION TRUST FUND	153,000
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	94,167"

**Specific Appropriation 1488**  
**Page 198 - proviso language**

"From funds in Specific Appropriation 1488, \$300,000 in non-recurring general revenue funds is provided to incorporated municipalities for the development of Comprehensive Plans as required

pursuant to the state mandated Growth Management & Land Development Regulation Act of 1985, chapter 163, Part II, Florida Statutes. These funds are allocated as follows:

Village of Palmetto Bay Comp Master Plan	100,000
City of Doral Transportation Master Plan	200,000"

**Specific Appropriation 1508A**  
**Pages 200 and 201 - A portion of proviso language**

"Putnam County Storm Shelter Retrofit	500,000"
"Graceville Emergency Power Supply	100,000
Hurricane Disaster Plan Special Needs Shelter	179,400
Johnson Family YMCA Gymnasium	500,000"

"Escambia County Sheriff - Generators	210,000
Starke Fire Dept. Garage/Storage	200,000"

"Chamber of Commerce - ADA Facilities Upgrade - Brevard Co	25,000
Emergency Operations Center in Brevard County	25,000
Emergency Operations Center in Broward County	12,987
Hurricane Relief for Primrose Center, Inc	409,692
Windstorm Damage Mitigation Training & Demonstration Center	750,000
Pasco Emergency Special Needs Shelter	565,000
Hernando County Emergency Special Needs Shelter	543,218"

**Specific Appropriation 1521B**  
**Page 203**

"1521B SPECIAL CATEGORIES GRANTS AND AIDS - LOCAL EMERGENCY MANAGEMENT NEEDS FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	50,000
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Funds in Specific Appropriation 1521B are provided for the Institute for Human and Machine Cognition's campus at 40 South Alcaniz Street in Escambia County."

**Specific Appropriation 1526**  
**Page 203 - proviso language**

"From the funds in Specific Appropriation 1526, \$3,000,000 from the Grants and Donations Trust Fund is provided for the purchase of generators for emergency fuel supply and is contingent upon a like amount being transferred from the Department of Environmental Protection."

**Specific Appropriation 1544A**  
**Page 205**

"1544A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - LOW INCOME EMERGENCY HOME REPAIR FROM ENERGY CONSUMPTION TRUST FUND	500,000"
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**Specific Appropriation 1560A**  
**Page 207**

"1560A SPECIAL CATEGORIES CIVIL LEGAL ASSISTANCE FROM GENERAL REVENUE FUND	5,000,000
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Funds in Specific Appropriation 1560A are provided for the programs established pursuant to chapter 2002-288, Laws of Florida."

**Specific Appropriation 1561A**  
**Page 207**

"1561A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY CENTER HILL AUDITORIUM RESTORATION FROM ENERGY CONSUMPTION TRUST FUND	60,000"
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**Specific Appropriation 1567A**  
**Page 208**

"1567A SPECIAL CATEGORIES DEPT OF COMMUNITY AFFAIRS - INTRA-AGENCY	
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TRANSFERS FROM FLORIDA COMMUNITIES TRUST FUND	923,802
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The funds in Specific Appropriation 1567A represent an unobligated cash balance which shall be transferred to the Emergency Management Preparedness and Assistance Trust Fund."

**Specific Appropriation 1598A**  
**Page 211**

"1598A AID TO LOCAL GOVERNMENTS INSTITUTE OF GOVERNMENT AT FLORIDA STATE UNIVERSITY FROM INTERNAL IMPROVEMENT TRUST FUND	275,000"
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**Specific Appropriation 1701A**  
**Page 221**

"1701A AID TO LOCAL GOVERNMENTS EVERGLADES FILM/MUSEUM OF SCIENCE AND INDUSTRY FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND	500,000"
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Water Projects: Criteria regarding water projects are as follows:

- All wastewater and stormwater projects must have been reviewed and qualified by the Department of Environmental Protection under their statutory authority in section 403.885, Florida Statutes.
- All surface water and storm water projects must have been recommended and approved by the appropriate Water Management District (WMD) Governing Board and include a 50 percent match by the WMD and/or local governments.
  - 50 percent match requirement may not be relevant if project sponsor is a disadvantaged local government, which includes:
    - Municipalities with populations of 7,500 or fewer that have a per capita income less than the state per capita income; or
    - Counties with populations of 35,000 or fewer that have a per capita income less than the state per capita income; or
    - Areas designated as rural areas of critical sentomic concern.
- Wastewater projects are divided into two categories:
  - Small Community: These projects must meet the current definition for the Small Community Wastewater Treatment Grant Program and have a current pending grant application.
  - Other wastewater projects: These projects must have received previous state funding; be in the construction phase and must have a 25 percent local match.

For these reasons, I do hereby veto the following items:

**Specific Appropriation 1717A**  
**Pages 223 through 225 - A portion of proviso language**

"Beverly Beach and Wastewater System	500,000
Boca Raton Intercoastal Waterway Force Main	500,000"
"Canaveral Environmental Impacts of Desalination Effluents	250,000"
"Clearwater - Oldsmar Reclaimed Water Interconnect	800,000
Cocoa Beach Reclaimed Water Distribution Control Valves	100,000"
"Coral Gables Stormwater System Major Restoration	425,000"
"Heritage Hills Master Re-pump Station and Transmission Main to Spencer's Crossing and Spencer's Advanced Water Treatment Plan Expansion	1,000,000"
"Homestead Pump Stations Generators	250,000
Homestead Treatment Plant Generator	200,000"
"Lake Worth Reverse Osmosis Water Plant	500,000
Lantana Subaqueous Force Main Crossing	250,000"

"Melbourne R.O. Concentrate Discharge	600,000"
"Miramar Unidirectional Flushing Water System	200,000"
"North Miami Emergency Generators	400,000"
"Oldsmar Municipal Water Supply	500,000"
"Ormond Beach Expansion of Reuse Program on South Peninsula	350,000"
"Ponte Vedra Beach Vacuum Sewer System	1,035,000"
"Riviera Beach Lift Station Improvements - Phase 1	400,000"
"South Miami Stormwater Improvements	1,000,000"
"St. Lucie South 26th Street Sanitary Collection System	750,000"
"Tara Cay Channel Restoration	150,000
Treasure Coast Regional Biosolids Management Facility	2,000,000"
"United Ranches Water Supply	250,000"
"Village of Key Biscayne Sanitary Sewer Project	1,000,000"

Melbourne Military Memorial Park	200,000
Miami Lakes Park Aquatic Center Enhancement	200,000
Municipal Park Improvement - Doral	200,000
Park Land Acquisition - City of Hialeah	200,000
Seawall Repair, Bicentennial/Sportsman's Park - Lantana	50,000
Southside School Revitalization - Broward	200,000
Sweetwater Parks Department Improvements	25,000"

**Specific Appropriation 1911A  
Page 243**

"1911A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY LAW ENFORCEMENT TRAINING FACILITY- ESCAMBIA FROM GENERAL REVENUE FUND	350,000
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Funds in Specific Appropriation 1911A are provided to construct a joint law enforcement training facility in Escambia County."

**Specific Appropriation 1917A  
Page 244**

"1917A SPECIAL CATEGORIES TRANSFER DEPARTMENT OF AGRICULTURE- ALLIGATOR MARKETING AND EDUCATION FROM STATE GAME TRUST FUND	100,000"
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**Specific Appropriation 1951A  
Page 247**

"1951A SPECIAL CATEGORIES TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES FROM GENERAL REVENUE FUND	500,000
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Funds in Specific Appropriation 1951A are provided for the Kids Fishing For Success Program."

**Specific Appropriation 1981A  
Page 250**

"1981A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FISH AND WILDLIFE RESEARCH INSTITUTE- JACKSONVILLE FROM GENERAL REVENUE FUND	1,250,000"
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**Specific Appropriation 1742  
Page 227 - proviso language**

"From the funds in Specific Appropriation 1742, up to \$10,000,000 shall be used to clean up petroleum contaminated sites eligible in sections 376.305(6), 376.3071(9) (13) and 376.3072, Florida Statutes, which have been identified as viable housing sites by the Department of Community Affairs together with local governments, regardless of priority ranking. Excess funds from the \$10,000,000 may be applied to the clean up program within the score range once the affordable housing sites are completed."

**Specific Appropriation 1751A  
Page 228**

"1751A SPECIAL CATEGORIES SPECIAL CATEGORY - TRANSFER TO THE DEPARTMENT OF COMMUNITY AFFAIRS FROM INLAND PROTECTION TRUST FUND	3,000,000
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Funds in Specific Appropriation 1751A from the Inland Protection Trust Fund shall be transferred to the Department of Community Affairs in order to purchase generators for emergency fuel supply."

**Specific Appropriation 1761  
Page 229 - A portion of proviso language**

"From the funds in Specific Appropriation 1761, \$75,000 is provided for developing and implementing statewide recycling coordinator training for state and local government solid waste officials, \$100,000 is provided for Best Management Practices for waste tires, and \$200,000 is provided for the Agriculture Film Collection Pilot Project."

**Specific Appropriation 1778A  
Page 231**

"1778A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY LOCAL PARKS FROM LAND ACQUISITION TRUST FUND	2,000,000
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Funds in Specific Appropriation 1778A are provided for the following local parks:

Baker County Recreational Facility Expansion	200,000
Boy Scout Hut Park - Delray Beach	200,000
Camp Matecumbe Building Renovation	200,000
Hialeah Gardens Water Park	175,000
Hillsboro Canal Linear Trail - Deerfield Beach	50,000
Lake Ida Park - Delray Beach	100,000

**Transportation Projects:** The fiscal year 2005-06 budget earmarks funding for several transportation related projects that were either not included in the Department of Transportation's Five Year Tentative Work Program, or not in the fiscal year 2005-06 funding cycle. Such earmarking of transportation funds circumvents a well established process whereby transportation needs are reviewed and prioritized through a process that includes input from local governments, Metropolitan Planning Organizations, and the public, as well as striking a critical balance between the various transportation programs funded through the Work Program.

For these reasons, I do hereby veto the following items:

**Specific Appropriation 1990  
Page 251 - proviso language**

"From the funds in Specific Appropriation 1990, \$250,000 is provided from the State Transportation (Primary) Trust Fund for the Immokalee Regional Airport/Florida Tradeport Infrastructure project."

**Specific Appropriation 1992  
Page 251 - proviso language**

"From the funds in Specific Appropriation 1992, \$10,635,000 from the State Transportation (Primary) Trust Fund is provided for the following project:

SR 52 Advanced Right-of-Way Acquisition in Pasco County"

**Specific Appropriation 1996  
Page 252 - proviso language**

"From funds in Specific Appropriation 1996, \$3,500,000 is provided for the following projects:

Florida East Coast Railway - Generators & Generator Vaults for Railroad Crossings	3,000,000
Pedestrian Crossings at FEC Right-of-Way	500,000"

**Specific Appropriation 2000**  
**Page 252 - proviso language**

"From Funds in Specific Appropriation 2000, \$6,300,000 is allocated from the State Transportation (Primary) Trust Fund for the following projects:

Preliminary Design and Environmental Study at I-95 and Oslo Road	1,000,000
US 1 Interchange at CR 210	4,300,000
SR 21 Widening Design - Clay County	1,000,000"

**Specific Appropriation 2024**  
**Page 254 - proviso language**

"From the funds in Specific Appropriation 2024, \$8,053,350 is provided for the following projects:

Modifications to SR 580 and SR 583 within the City of Temple Terrace	1,000,000
US 301 from Sun City Blvd. To Gibson Dr.- Widen to 4 lanes	4,924,350
SR 574 from Parsons Ave. to Kingsway Rd.- Widen to 4 lanes	822,000
SR 574 from Queen Palm Dr. to Williams Rd.-Widen bridge over I-75 to 6 lanes	807,000
US 1/I-95 Interchange and Ormond Crossings Business Park	500,000"

**Specific Appropriation 2025**  
**Pages 254 and 255 - proviso language**

"From the funds in Specific Appropriation 2025, \$15,633,650 is provided for the following projects:

Hoagland Boulevard Roadway Improvements - Osceola County	750,000
Restoration of Periwinkle Corridor - Lee County	970,000
Downtown Tarpon Springs Historic District Redevelopment - Pinellas County	3,788,000
Advancement of the Tampa Riverwalk Project	200,000
Palm Bay Parkway	4,100,000
441 and West Orange Trail Overpass	1,500,000
Crandon Blvd Improvement Project Phase III	2,800,000
Improvements to Church St. and N. White Cedar Road	1,100,000
State Road 40 Retrofit	425,650"

**Specific Appropriation 2028**  
**Page 255 - proviso language**

"From funds in Specific Appropriation 2028, \$10,000 is provided for traffic safety devices in Leon County."

**Specific Appropriation 2030**  
**Page 255 - proviso language**

"From the funds in Specific Appropriation 2030, \$1,118,000 in funds from the State Transportation (Primary) Trust Fund is provided for the following projects:

Lighthouse Point Bridge Replacement - Broward County	300,000
Dunedin Causeway Bridges Repair - Pinellas County	818,000"

**Specific Appropriation 2080**  
**Page 259 - proviso language**

"From funds in Specific Appropriation 2080, \$500,000 from the State Transportation (Primary) Trust Fund is provided for an interchange at Suncoast Parkway and Lutz."

"Hospice Hurricane Relief	300,000
Hurricane Damage: Grove Counseling Center, Inc	150,000"
"Emergency Ops Center-Palm Beach County	250,000
Building and road damage-Lake County	100,000
City of Ocoee Lake Shore Drive Repairs	100,000"

**Specific Appropriation 2121**  
**Page 268 - A portion of proviso language**

"From the funds in Specific Appropriation 2121, \$500,000 from the Employment Security Administration Trust Fund is provided for the Youth Summer Jobs Program in Broward County.

From the funds in Specific Appropriation 2121, \$500,000 from Employment Security Administration Trust Fund is provided to continue and expand the Jobs For Our Students Program that was funded in Fiscal Year 2004-2005."

**Specific Appropriation 2162F**  
**Page 271**

"2162F SPECIAL CATEGORIES	
SCHOOL READINESS SERVICES	
FROM GENERAL REVENUE FUND	166,400

From the funds in Specific Appropriation 2162F, \$166,400 is provided for Parental Workforce Development Childcare Services."

**Specific Appropriation 2162G**  
**Pages 271 and 272 - A portion of proviso language**

"From the Welfare Transition Trust Fund in Specific Appropriation 2162G, \$150,000 shall be used for the HIPPY program in Desoto County, and \$100,000 shall be used for the HIPPY program in Sarasota County."

**Specific Appropriation 2275**  
**Page 284 - proviso language**

"From the funds provided in Specific Appropriation 2275, \$50,000 from the Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund shall be made available, contingent upon an equal match by private dollars, to support the Center for Timeshare Excellence at the Rosen College of Hospitality Management that will generate industry-based research as well as provide executive development seminars to industry professionals."

**Specific Appropriation 2431A**  
**Page 298**

"2431A SPECIAL CATEGORIES	
TRANSFER TO GRANTS AND DONATIONS TRUST FUND	
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	500,000"

**Specific Appropriation 2498B**  
**Pages 305 and 306 - A portion of proviso language**

"Paws On: The Animal Study Zone	95,000"
"Baker County Community Youth Center	150,000
Boys and Girls Club of Bay County	200,000
Three Servicemen Statue	150,000"
"Boynton Beach Boundless Playground Initiative	150,000"
"Lauderdale Lakes Movie & Film Production Development	100,000"
"Florida Sports Hall of Fame	500,000
West Palm Beach City Commons	200,000"

**Specific Appropriation 2510**  
**Page 308 - proviso language**

"A portion of the funds in Specific Appropriation 2510 is allocated as follows:

University Area Community- N. 22nd Main Street - Hillsborough	3,500,000
Platt Bridge - Hillsborough County	2,500,000

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**SECTION 6 - GENERAL GOVERNMENT**

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**Specific Appropriation 2084A**  
**Page 261 - A portion of proviso language**

Funds for the University Area Community - N. 22nd Main Street in Hillsborough County are contingent upon the county providing an equal amount in matching funds."

**Specific Appropriation 2741A**  
**Page 330**

"2741A AID TO LOCAL GOVERNMENTS  
PINELLAS COUNTY MOBILE COMMAND AND  
COMMUNICATIONS VEHICLE  
FROM GENERAL REVENUE FUND 500,000"

**Specific Appropriation 2786**  
**Page 334 - proviso language**

"From the funds in Specific Appropriations 2786, 2788, 2789, and 2791, the Office of the Judges of Compensation Claims is provided twenty additional positions and \$1,637,461 for claims workload. Beginning September 30, 2005, the office shall submit a quarterly report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives showing the improvement to workers' compensation dispute resolution resulting from these new positions."

**Specific Appropriation 2948A**  
**Page 349**

"2948A FIXED CAPITAL OUTLAY  
ARCHAEOLOGY AND HISTORICAL FACILITIES -  
DMS MGD  
FROM GENERAL REVENUE FUND 300,000

Funds in Specific Appropriation 2948A are provided for the planning and designing of a state Archaeology Curation and Conservation Facility."

**Specific Appropriation 2949A**  
**Page 349- A portion of proviso language**

"From the funds in Specific Appropriation 2949A, \$304,000 is provided for the Cuban Club Rehabilitation Project in Hillsborough County."

**Specific Appropriation 2949B**  
**Page 349**

"2949B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
GRANTS AND AIDS - SPECIFIC CULTURAL AND  
HISTORIC PROJECTS  
FROM GENERAL REVENUE FUND 872,000

Funds in Specific Appropriation 2949B from the General Revenue Fund shall be allocated as follows:

Florida African American Heritage	250,000
Myrtle Ave Landmark Jacksonville	122,000
Digitize University Museum Collections	500,000"

**Specific Appropriation 2967B**  
**Page 351- A portion of proviso language**

"Library Construction - Trinity, Pasco County	431,779
Lauderdale Lakes Educational & Cultural Resource Center	150,000"

**Specific Appropriation 2978A**  
**Page 352 - A portion of proviso language**

"Dunedin Fine Arts and Cultural Center	240,000
Tampa Bay Performing Arts Center	240,000"

**Specific Appropriation 2982C**  
**Page 353**

"2982C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
GRANTS AND AIDS - SPECIFIC CULTURAL AND  
HISTORIC PROJECTS  
FROM GENERAL REVENUE FUND 350,000

Funds in Specific Appropriation 2982C shall be allocated as follows:

Rhoda L. Martin Cultural Heritage Museum	200,000
Bay of Pigs Museum	100,000
Lauderhill Performing Arts Center	50,000"

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**SECTION 7 - JUDICIAL BRANCH**

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**Specific Appropriation 2989J**  
**Page 356**

"2989J FIXED CAPITAL OUTLAY  
LEGAL RESEARCH FACILITY - SUPREME COURT -  
DMS MGD  
FROM GENERAL REVENUE FUND 65,000"

**Specific Appropriation 3022E**  
**Page 360**

"3022E GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
DADE COUNTY COURTHOUSE COURTROOM  
RESTORATION PROJECT  
FROM GENERAL REVENUE FUND 75,000"

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**SECTION 8 - COMPENSATION AND BENEFITS - Fiscal Year 2005-2006**

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**Section 8. (1) (h)**  
**Pages 362 through 368 - A portion of proviso language**

"h. From funds in Specific Appropriation 2086, \$500,000 from the General Revenue Fund is provided to the Florida School for the Deaf and Blind to be used to supplement salaries of instructional personnel at the school."

The portions of Senate Bill 2600 which are set forth herein with my objections are hereby vetoed, and all other portions of Senate Bill 2600 are hereby approved.

Sincerely,  
*Jeb Bush*, Governor

**The bills, together with the Governor's objections thereto, were referred to the Committee on Rules and Calendar.**

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of May 6, 2005 Regular Session, was corrected and approved.

**RECESS**

On motion by Senator Pruitt, the Senate recessed at 1:42 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 3:30 p.m., Wednesday, December 7 or upon call of the President.

**BILL ACTION SUMMARY**

**MONDAY, DECEMBER 5, 2005**

- S 6-B Considered outside purview of the Call
- S 8-B Considered outside purview of the Call
- S 10-B Considered outside purview of the Call
- S 12-B Considered outside purview of the Call
- S 14-B Considered outside purview of the Call
- S 16-B Considered outside purview of the Call
- S 18-B Considered outside purview of the Call
- S 40-B Considered outside purview of the Call

**JOURNAL OF THE SENATE**

**Daily Indices for  
December 5, 2005**

**NUMERIC INDEX**

BA — Bill Action  
BP — Bill Passed  
CO — Co-Introducers  
CR — Committee Report

CS — Committee Substitute, First Reading  
FR — First Reading  
MO — Motion

<b>SB 2-B</b> .....	(FR) 2	<b>SB 12-B</b> .....	(FR) 3
<b>SB 4-B</b> .....	(FR) 2	<b>SB 14-B</b> .....	(FR) 3
<b>SB 6-B</b> .....	(FR) 2	<b>SB 16-B</b> .....	(FR) 3
<b>SB 8-B</b> .....	(FR) 3	<b>SB 18-B</b> .....	(FR) 4
<b>SB 10-B</b> .....	(FR) 3	<b>SB 40-B</b> .....	(FR) 3

**SUBJECT INDEX**

<b>Announcements</b> .....	4	<b>Motions</b> .....	4
<b>Call to Order</b> .....	1	<b>Proclamation</b> .....	1
<b>Introduction and Reference of Bills</b> .....	2	<b>Vetoed Bills</b> .....	4

