



# Journal of the Senate

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## REPORTS OF COMMITTEES

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 432

**The bill was referred to the Committee on Community Affairs under the original reference.**

The Committee on Community Affairs recommends the following pass: CS for SB 794

**The bill was referred to the Committee on General Government Appropriations under the original reference.**

The Committee on Agriculture recommends the following pass: SB 1638

The Committee on Community Affairs recommends the following pass: SB 2224 with 1 amendment

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 692; SB 1486

**The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.**

The Committee on Banking and Insurance recommends the following pass: SB 164

**The bill was referred to the Committee on Health Policy under the original reference.**

The Committee on Governmental Operations recommends the following pass: SB 728

**The bill was referred to the Committee on Health Regulation under the original reference.**

The Committee on Governmental Operations recommends the following pass: SB 1014 with 1 amendment

**The bill was referred to the Committee on Higher Education under the original reference.**

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 406

The Committee on Health Regulation recommends a committee substitute for the following: SB 1374

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Banking and Insurance under the original reference.**

The Committee on Communications and Public Utilities recommends a committee substitute for the following: SB 1384

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 758; SB 1192

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Commerce under the original reference.**

The Committee on Agriculture recommends a committee substitute for the following: SB 310

**The bill with committee substitute attached was referred to the Committee on Communications and Public Utilities under the original reference.**

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 660

**The bill with committee substitute attached was referred to the Committee on Community Affairs under the original reference.**

The Committee on Community Affairs recommends a committee substitute for the following: SB 1116

**The bill with committee substitute attached was referred to the Committee on Criminal Justice under the original reference.**

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1652

**The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.**

The Committee on Governmental Operations recommends a committee substitute for the following: SB 316

**The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.**

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1034

The bill with committee substitute attached was referred to the Committee on General Government Appropriations under the original reference.

The Committees on Agriculture recommends a committee substitute for the following: SB 1630

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1712

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 370

The bill with committee substitute attached was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SJR 2308

The bill with committee substitute attached was referred to the Committee on Higher Education Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1152

The bill with committee substitute attached was referred to the Committee on Judiciary under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 560

The bill with committee substitute attached was referred to the Committee on Regulated Industries under the original reference.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 192

The bill with committee substitute attached was referred to the Committee on Transportation under the original reference.

The Committee on Finance and Tax recommends a committee substitute for the following: CS for SB 970

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 242; CS for SB 564

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

**REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS**

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governor:

*Office and Appointment* *For Term Ending*

Fish and Wildlife Conservation Commission  
 Appointees: Bergeron, Ronald M. 08/01/2012  
 Jossim, Kathy Barco 08/01/2012

*Office and Appointment*

*For Term Ending*

Stephenson, Dwight Wright, Kenneth W.	01/06/2012 08/01/2012
Governing Board of the Northwest Florida Water Management District Appointee: McMillan, Philip K.	03/01/2011
Governing Board of the St. Johns River Water Management District Appointees: Ertel, Michael C. Huffman, Hersey A. Jumper, Arlen N.	03/01/2011 03/01/2011 03/01/2011
Governing Board of the Southwest Florida Water Management District Appointee: Whitehead, Judith C.	03/01/2011
Governing Board of the Suwannee River Water Management District Appointee: Davidson, Charles Linden	03/01/2011

[The appointments were referred to the Committee on Ethics and Elections under the original reference.]

**INTRODUCTION AND REFERENCE OF BILLS**

**FIRST READING**

By Senator Aronberg—

**SB 56**—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Schneidine Theogene, a minor, by and through her parent and natural guardian, Jeanne Coicou, to compensate Schneidine for injuries sustained as a result of the negligence of a Miami-Dade County bus driver; providing for an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

**Senate Bills 58-2044**—Previously referenced.

By Senator Lynn—

**SB 2048**—A bill to be entitled An act relating to claims to escheated property; amending s. 717.12405, F.S.; entitling certain Holocaust victims or related victims as lineal descendants of certain persons to make claims to certain escheated property; requiring the Department of Financial Services to allow such descendants to meet certain standards of proof substantiating lineage and valid claims for escheated property; prohibiting dismissal of certain actions for failure to comply with statutes of limitation or laches; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and General Government Appropriations.

By Senator Bennett—

**SB 2050**—A bill to be entitled An act relating to impact fees; amending s. 163.31801, F.S.; revising requirements governing notice of changes in impact fees adopted by ordinance of a county or municipality or by resolution of a special district; requiring the provision of notice before the imposition of an increased impact fee; providing that the provision of notice is not required before decreasing or eliminating an impact fee; providing an effective date.

—was referred to the Committees on Community Affairs; and Finance and Tax.

By Senator Baker—

**SB 2052**—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.0814, F.S.; revising provisions authorizing utilities having a gross annual revenue of less than a specified amount to request assistance from the Public Service Commission in changing the rates and charges of the utility; providing for an annual adjustment in the threshold; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and General Government Appropriations.

By Senator Baker—

**SB 2054**—A bill to be entitled An act relating to surveyors and mappers; amending s. 472.029, F.S.; prohibiting surveyors and mappers and their subordinates from breaking or injuring fences on agricultural land; providing penalties; providing for restitution for damages or losses; providing an effective date.

—was referred to the Committees on Regulated Industries; Agriculture; Criminal Justice; and Criminal and Civil Justice Appropriations.

By Senator Lawson—

**SB 2056**—A bill to be entitled An act relating to the prohibition of the acceptance of expenditures; amending s. 11.045, F.S.; exempting food and beverage expenditures from the gift ban at certain events; requiring that any such food and beverage expenditures be consumed at the event; limiting the total value of such expenditures; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Rules.

By Senator Dean—

**SB 2058**—A bill to be entitled An act relating to the hunter safety course; amending s. 372.5717, F.S.; providing that a person born on or after June 1, 1970, who is a member of the United States active-duty armed forces, the United States Armed Forces Reserves, the United States National Guard, the United States Coast Guard, or the United States Coast Guard Reserve may satisfy the requirement for completing a hunter safety course by completing an online electronic course or by completing a hunter safety workbook and written exam provided by the Fish and Wildlife Conservation Commission; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Dean—

**SB 2060**—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting county government imposition of a tax, assessment, or fee for stormwater management on agricultural land meeting certain requirements; amending s. 205.064, F.S.; expanding eligibility for exemption from a local business tax receipt for the privilege of selling specified products; amending s. 373.1395, F.S.; providing indemnity for an agricultural landowner for an easement or any other right secured by a water management district for access to lands the district provides or makes available to the public; delineating what is covered by indemnification for landowners and water management districts; providing that agricultural landowners and water management districts are liable for gross negligence and certain other acts as specified; creating s. 500.70, F.S.; delineating requirements for a tomato farmer, packer, repacker, or handler to be considered in compliance with state food safety microbial standards and guidelines; amending s. 570.07, F.S.; providing that the Department of Agriculture and Consumer Services may adopt by rule comprehensive best-management practices for agricultural production and food safety; amending s. 604.15, F.S.; revising a definition to make tropical foliage exempt from

regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; expanding county and municipal exemptions for nonresidential farm buildings to include permits and impact fees; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that can be openly burned; providing certain limitations on such burning; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Judiciary; and General Government Appropriations.

By Senator Bennett—

**SB 2062**—A bill to be entitled An act relating to airline travel; requiring that, upon the cancellation or delay of a flight by more than 1 hour, the airline honor the purchaser's ticket at a later date or reimburse the purchaser the cost of the ticket and pay the purchaser an amount equal to the airline's flight-change penalty fee; providing for certain specified exceptions for canceled or delayed flights; defining the term "terrorist threat"; providing for additional remedies; providing for an award of damages, costs, and attorney's fees; providing that an airline violating the act more than once within a calendar year commits a misdemeanor of the second degree; providing penalties; providing that there is no expiration date for an airline ticket issued anywhere in the world for an airline flight originating in this state; requiring an airline to accept a nonrefundable ticket under certain circumstances; authorizing an airline to charge a transfer fee; providing an exception; requiring airlines to notify passengers when a previously delayed or canceled flight is reinstated; providing penalties for the failure to do so; requiring airlines to provide specific amenities to on-board passengers whose flights are delayed more than 3 hours; requiring airlines to provide specific notice of passengers' rights; providing an effective date.

—was referred to the Committees on Commerce; Transportation; and Judiciary.

**Senate Resolutions 2064-2068**—Not referenced.

By Senator Bullard—

**SB 2070**—A bill to be entitled An act relating to super enterprise zones; amending s. 212.02, F.S.; defining the "certified business" for purpose of a tax exemption provided to certain businesses located within a super enterprise zone; providing for future repeal; amending s. 212.08, F.S.; exempting certain property purchased for use or consumption by businesses in a super enterprise zone and retail sales by certified businesses in a super enterprise zone; providing an exception; specifying time periods for application of the exemptions for certain businesses; providing for future repeal; amending s. 290.0056, F.S.; providing additional responsibilities of an enterprise zone development agency relating to super enterprise zones; requiring an economic impact report; providing for future repeal; amending s. 290.0057, F.S.; applying requirements for an enterprise zone development plan to super enterprise zones; creating s. 290.00681, F.S.; requiring the Office of Tourism, Trade, and Economic Development to designate specified areas in Miami-Dade County as pilot project super enterprise zones for a certain period; providing qualification criteria; providing application requirements; providing for future repeal and revocation of the designation; creating s. 290.00682, F.S.; providing requirements for qualification as a certified business for sales tax exemption purposes; authorizing a local enterprise zone development agency to certify businesses; requiring the agency to provide lists of certified businesses; providing for disqualifying certified businesses under certain circumstances; providing for future repeal and revocation of certifications; amending s. 290.007, F.S.; specifying incentives for revitalization of super enterprise zones; requiring interim and final reviews of super enterprise zones by the Office of Program Policy Analysis and Government Accountability; providing review of criteria; requiring reports to the Legislature; providing effective dates.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Posey—

**SB 2072**—A bill to be entitled An act relating to motor vehicles; amending s. 316.2015, F.S.; prohibiting the operator of a pickup or flatbed truck from allowing a minor to ride in the open body of the pickup or flatbed truck while on a public road unless the minor is restrained in safety restraints or secure seating; providing certain exceptions; providing that a county is exempt from the requirement upon a majority vote of the governing body of the county; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Bullard—

**SB 2074**—A bill to be entitled An act relating to highway designations; designating a portion of U.S. 1 as “American Legion Way” in Miami-Dade County; directing the Department of Transportation to erect markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Deutch—

**SB 2076**—A bill to be entitled An act relating to arbitration; creating s. 682.011, F.S.; providing definitions; creating s. 682.012, F.S.; providing that ch. 682, F.S., the Florida Arbitration Code, does not apply to certain insurance policies; providing that mandatory binding arbitration is void and unenforceable except as otherwise provided by federal law; creating s. 682.013, F.S.; providing for the effect of an arbitration agreement; prohibiting the waiver of certain rights and requirements; providing an exception to provisions prohibiting waiving the right of a court to vacate an award; providing that an agreement to a court decision constitutes a waiver of the right to arbitrate; creating s. 682.031, F.S.; specifying actions that constitute notice; creating s. 682.032, F.S.; providing procedures for initiating arbitration; amending s. 682.04, F.S.; requiring that the court appoint arbitrators if the parties do not agree on such selection; prohibiting a person having an interest in the outcome of the proceeding from serving as an arbitrator; creating s. 682.041, F.S.; authorizing the court to enter an order for provisional remedies; creating s. 682.042, F.S.; requiring that an arbitrator disclose any facts that may affect the impartiality of the proceeding; providing that a financial or personal interest in the outcome of a proceeding or an existing or past relationship with a party constitutes grounds for removal of the arbitrator; providing for the court to order the removal of the arbitrator and appoint a successor; providing that failure to disclose an interest in the outcome of a proceeding or to disclose a relationship with a party is evidence of partiality; requiring that an arbitrator sign an oath affirming the absence of certain ties; creating s. 682.043, F.S.; providing for the consolidation of separate arbitration proceedings; authorizing the court to consolidate some claims and allow other claims to be resolved separately; amending s. 682.05, F.S.; requiring that all arbitrators to a proceeding conduct certain hearings; creating s. 682.052, F.S.; providing procedures for an arbitration proceeding; requiring that all parties be physically present except in certain cases; providing for a summary disposition of a claim or particular issue; amending s. 682.06, F.S.; revising requirements for conducting the hearing; requiring notice of the right to representation; amending s. 682.07, F.S.; requiring that the parties receive information concerning available assistance; amending s. 682.08, F.S.; requiring that a subpoena be included in the record of the arbitration; providing for dispositions to be conducted under the Florida Rules of Civil Procedure; providing for additional discovery, the issuance of subpoenas, and other orders; authorizing an arbitrator to issue a protective order under limited circumstances; providing for a subpoena or order to be enforced by a court; requiring that witnesses testify under oath; creating s. 682.085, F.S.; providing for judicial enforcement of a preaward ruling; amending s. 682.09, F.S.; requiring the award contain findings and damages or other relief; requiring that the award be made a public record; amending s. 682.11, F.S.; providing certain limitations on expenses and fees; providing for an award of attorney’s fees and other expenses of arbitration; authorizing the court to order that the costs of arbitration be shared among the parties; amending s. 682.12, F.S.; providing for confirmation of an award by the court; amending s. 682.13, F.S.; providing additional circumstances under which a court may vacate an award; authorizing the parties to an arbitration to contract for

judicial review of errors of law in the award; amending s. 682.14, F.S.; authorizing the court to modify or correct an award; requiring that a consumer seek to modify or vacate an award issued under a consumer arbitration agreement within a specified period; amending s. 682.15, F.S.; providing for the recording and enforcement of an award; amending s. 682.20, F.S.; providing additional circumstances under which an arbitration decision may be appealed; creating s. 682.202, F.S.; specifying that ch. 682, F.S., modifies, limits, and supersedes certain provisions of federal law; creating s. 682.203, F.S.; requiring that certain arbitration organizations make information available to the public concerning the type and number of disputes it handles; requiring that such information be provided free of charge; requiring that an arbitration organization waive the fees for low-income persons involved in a consumer arbitration; requiring that an arbitration organization provide notice of the right to such waiver; prohibiting an arbitrator or arbitration organization from requiring a consumer to pay the fees and costs incurred by an opposing party; authorizing a court to enjoin such violation and order restitution; creating s. 682.204, F.S.; requiring that a party drafting an arbitration agreement disclose filing fees and costs; providing that failure to make such disclosures constitutes a deceptive and unfair trade practice; providing for enforcement of such provision by injunction; providing for application of the act; providing an effective date.

—was referred to the Committees on Judiciary; Commerce; Banking and Insurance; and Criminal and Civil Justice Appropriations.

By Senator Oelrich—

**SB 2078**—A bill to be entitled An act relating to springs protection; creating part IV of ch. 369, F.S., entitled “Springs Protection”; providing a short title; providing legislative findings and intent; providing definitions; establishing the Florida Springs Stewardship Task Force; providing for task force membership and duties; requiring a report to the Governor and Legislature; providing for assistance and cooperation from state agencies and local governments; providing for expiration of the task force; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

By Senator Haridopolos—

**SB 2080**—A bill to be entitled An act relating to value adjustment boards; expressing the legislative intent to revise laws relating to value adjustment boards; providing an effective date.

—was referred to the Committees on Finance and Tax; Community Affairs; Education Pre-K - 12 Appropriations; and Rules.

**SB 2082**—Previously referenced.

By Senator Villalobos—

**SB 2084**—A bill to be entitled An act relating to condominiums; amending s. 718.111, F.S.; requiring official records of the association to be maintained for at least 5 years and to be made available at certain locations; providing civil and criminal sanctions, including personally against any officer, director, or manager who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; restricting a condominium association from waiving a financial report for more than 2 years; amending s. 718.112, F.S.; prohibiting votes allocated to units owned by the association from being cast by proxy, ballot, or otherwise, for any purpose; requiring the board to address certain agenda items proposed by a petition of a specified percent of the unit owners; providing requirements for the location of annual unit owner meetings; revising notice procedures; providing for the securing of ballots; revising procedures relating to the filling of a vacancy on the board; authorizing persons acting under a specific power of attorney to vote on behalf of a unit owner; removing a

provision allowing an association to provide for different voting and election procedures in its bylaws; requiring the association to prepare an annual budget of estimated revenues and expenses; requiring certain ballot statements to contain certain statements; requiring a vote to provide for no reserves or a percentage of reserves to be made at annual meetings; authorizing the association to use reserve funds for nonscheduled purposes under certain conditions; amending s. 718.113, F.S.; requiring the board to have the condominium buildings periodically inspected for structural and electrical soundness by a professional engineer or professional architect registered in the state; requiring the inspector to provide a report to the association and unit owners; prohibiting the board from adopting rules or regulations impairing certain rights or prohibiting reasonable accommodation for religious practices; creating s. 718.1224, F.S.; prohibiting certain lawsuits arising from unit owners' appearances and presentations before a governmental entity; providing a definition; providing for award of damages and attorney fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Judiciary.

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By Senator Jones—

**SB 2086**—A bill to be entitled An act relating to condominium associations; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association

against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.115, F.S.; requiring that certain expenses be designated as common expenses; amending s. 718.116, F.S.; authorizing the designee of a unit owner or mortgagee to request a certificate of assessment; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 718.117, F.S.; prohibiting the distribution of proceeds from the sale of a condominium unit to a lienholder from exceeding a unit owner's share of the proceeds; creating s. 720.30851, F.S.; requiring that the association provide a certificate signed by an officer or agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel within a specified period after the association's receipt of a request for an estoppel certificate by an owner or mortgagee; providing that any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof; providing that a summary proceeding may be brought to compel the association to comply with the requirement to provide a certificate; providing that the prevailing party is entitled to recover reasonable attorney's fees; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; providing an effective date.

—was referred to the Committees on Regulated Industries; Banking and Insurance; and Judiciary.

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By Senator Justice—

**SB 2088**—A bill to be entitled An act relating to water supply; creating part VII of ch. 373, F.S., relating to water supply policy, planning, production, and funding; providing a declaration of policy; providing definitions; providing for the powers and duties of water management district governing boards; requiring the Department of Environmental Protection to develop the Florida water supply plan; providing components of the plan; requiring water management district governing boards to develop water supply plans for their respective regions; providing components of district water supply plans; providing legislative findings and intent with respect to water resource development and water supply development; requiring water management districts to fund and implement water resource development; specifying water supply development projects that are eligible to receive priority consideration for state or water management district funding assistance; encouraging cooperation in the development of water supplies; providing for alternative water supply development; encouraging municipalities, counties, and special districts to create regional water supply authorities; establishing the primary roles of the water management districts in alternative water supply development; establishing the primary roles of local governments, regional water supply authorities, special districts, and publicly owned and privately owned water utilities in alternative water supply development; requiring the water management districts to detail the specific allocations to be used for alternative water supply development in their annual budget submission; requiring that the water management districts include the amount needed to implement the water supply development projects in each annual budget; establishing general funding criteria for funding assistance to the state or water management districts; establishing economic incentives for alternative water

supply development; providing a funding formula for the distribution of state funds to the water management districts for alternative water supply development; requiring that funding assistance for alternative water supply development be limited to a percentage of the total capital costs of an approved project; establishing a selection process and criteria; providing for cost recovery from the Public Service Commission; requiring a water management district governing board to conduct water supply planning for each region identified in the district water supply plan; providing procedures and requirements with respect to regional water supply plans; providing for joint development of a specified water supply development component of a regional water supply plan within the boundaries of the Southwest Florida Water Management District; providing that approval of a regional water supply plan is not subject to the rulemaking requirements of the Administrative Procedure Act; requiring the department to submit annual reports on the status of regional water supply planning in each district; providing construction with respect to the water supply development component of a regional water supply plan; requiring water management districts to present to certain entities the relevant portions of a regional water supply plan; requiring certain entities to provide written notification to water management districts as to the implementation of water supply project options; requiring water management districts to notify local governments of the need for alternative water supply projects; requiring water management districts to assist local governments in the development and future revision of local government comprehensive plan elements or public facilities reports related to water resource issues; providing for the creation of regional water supply authorities; providing purpose of such authorities; specifying considerations with respect to the creation of a proposed authority; specifying authority of a regional water supply authority; providing authority of specified entities to convey title, dedicate land, or grant land-use rights to a regional water supply authority for specified purposes; providing preferential rights of counties and municipalities to purchase water from regional water supply authorities; providing exemption for specified water supply authorities from consideration of certain factors and submissions; providing applicability of such exemptions; authorizing the West Coast Regional Water Supply Authority and its member governments to reconstitute the authority's governance and rename the authority under a voluntary interlocal agreement; providing compliance requirements with respect to the interlocal agreement; providing for supersession of conflicting general or special laws; providing requirements with respect to annual budgets; specifying the annual millage for the authority; authorizing the authority to request the governing board of the district to levy ad valorem taxes within the boundaries of the authority to finance authority functions; providing requirements and procedures with respect to the collection of such taxes; amending ss. 11.80, 120.52, 163.3167, and 163.3177, F.S.; conforming cross-references; amending ss. 163.3191, 186.009, 189.404, 189.4155, 189.4156, and 367.021, F.S.; conforming cross-references; amending s. 373.016, F.S., relating to the declaration of policy, to conform; amending s. 373.019, F.S., relating to definitions, to conform; amending s. 373.026, F.S.; conforming a cross-reference; amending s. 373.036, F.S., relating to the Florida water plan and district water management plans, to include the Florida water supply plan and district water supply plans and make other conforming changes; amending s. 373.042, F.S.; providing for minimum flow and level provisions for alternative water supply project options; amending ss. 373.0421, 373.0695, 373.199, 373.223, 373.2234, 373.229, 373.414, 373.421, 373.4592, 373.45926, 373.4595, 373.470, 373.536, 373.59, 378.212, 378.404, 403.031, 403.0891, 403.813, 403.890, 556.102, and 682.02, F.S.; conforming cross-references; renumbering s. 373.71, F.S., relating to the Apalachicola-Chattahoochee-Flint River Basin Compact, to clarify retention of the section in part VI of ch. 373, F.S.; repealing s. 373.0361, F.S., relating to regional water supply planning; repealing s. 373.0391, F.S., relating to technical assistance to local governments; repealing s. 373.0831, F.S., relating to water resource and water supply development; repealing s. 373.196, F.S., relating to alternative water supply development; repealing s. 373.1961, F.S., relating to water production and related powers and duties of water management districts; repealing s. 373.1962, F.S., relating to regional water supply authorities; repealing s. 373.1963, F.S., relating to assistance to the West Coast Regional Water Supply Authority; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Governmental Operations; and General Government Appropriations.

**SR 2090**—Not referenced.

By Senator Hill—

**SB 2092**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term “special risk member” for the purposes of the Florida Retirement System to include certain members employed by certain public acute care hospitals; amending s. 121.0515, F.S.; revising criteria for membership in the special risk class to include certain members employed by certain public acute care hospitals; providing a statement of important state interest; providing an effective date.

—was referred to the Committees on Health Policy; Community Affairs; Governmental Operations; and General Government Appropriations.

By Senator Webster—

**SB 2094**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of books, clothing, and school supplies is exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

—was referred to the Committees on Finance and Tax; and General Government Appropriations.

By Senator Bullard—

**SB 2096**—A bill to be entitled An act relating to the Department of Transportation; amending s. 334.044, F.S.; directing the department to maintain specified training programs for employees and prospective employees; amending s. 339.155, F.S.; eliminating the requirement for annual updating of the Florida Transportation Plan; removing obsolete provisions; deleting the requirement to develop a short-range component of the Florida Transportation Plan; eliminating the requirement to develop an annual performance report; amending ss. 338.223, 339.2819, and 339.285, F.S., relating to proposed turnpike projects, the Transportation Regional Incentive Program, and the Enhanced Bridge Program for Sustainable Transportation; conforming cross-references; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Transportation and Economic Development Appropriations.

By Senator Crist—

**SB 2098**—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Florida Parole Commission without modification; repealing s. 947.045(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Criminal and Civil Justice Appropriations.

By Senator Crist—

**SB 2100**—A bill to be entitled An act relating to trust funds; re-creating the Shared County/State Juvenile Detention Trust Fund within the Department of Juvenile Justice without modification; repealing s. 985.6015(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; amending s. 985.686, F.S.; requiring counties to deposit funds for the costs for juvenile detention into the Shared County/State Juvenile Detention Trust Fund rather than the Juvenile Justice Grants and Donations Trust Fund; providing an effective date.

—was referred to the Committee on Criminal and Civil Justice Appropriations.

By Senator Peaden—

**SB 2102**—A bill to be entitled An act relating to trust funds of the Agency for Health Care Administration; terminating the Florida Organ and Tissue Donor Education and Procurement Trust Fund and the Resident Protection Trust Fund; providing for the disposition of the balances in and revenues of the trust funds; prescribing procedures for the termination of the trust funds; amending s. 20.425, F.S.; providing for the administration of the Administrative Trust Fund, the Grants and Donations Trust Fund, the Health Care Trust Fund, the Medical Care Trust Fund, the Public Medical Assistance Trust Fund, the Quality of Long-Term Care Facility Improvement Trust Fund, and the Refugee Assistance Trust Fund by the Agency for Health Care Administration; providing for sources of funds and purposes; providing for annual carryforward of funds; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; amending ss. 215.20, 320.08047, 322.08, 393.0673, and 393.0678, F.S., to conform; amending s. 394.903, F.S.; conforming a cross-reference; repealing s. 394.904, F.S., which creates the Health Care Trust Fund, to conform; amending s. 400.062, F.S., to conform; clarifying provisions with respect to amounts on deposit in the Health Care Trust Fund which control the setting of specified rates that comprise a portion of licensing fees for nursing homes and general health care licensing; removing obsolete language, to conform; amending ss. 400.063, 400.121, 400.126, 400.162, 400.966, and 765.515, F.S., to conform; repealing s. 765.52155, F.S., which creates the Florida Organ and Tissue Donor Education and Procurement Trust Fund, to conform; amending s. 765.544, F.S., to conform; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2104**—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2106**—A bill to be entitled An act relating to trust funds; re-creating the Tobacco Settlement Trust Fund within the Agency for Persons with Disabilities; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; revising a condition with respect to the reversion of specified unencumbered balances; removing the scheduled termination of the trust fund; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2108**—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2110**—A bill to be entitled An act relating to trust funds; re-creating the Operations and Maintenance Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2112**—A bill to be entitled An act relating to trust funds; re-creating the Social Services Block Grant Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2114**—A bill to be entitled An act relating to trust funds; re-creating the Welfare Transition Trust Fund within the Department of Children and Family Services without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.506, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2116**—A bill to be entitled An act relating to trust funds of the Department of Children and Family Services; terminating the Child Advocacy Trust Fund and the Refugee Assistance Trust Fund; providing for the disposition of balances in and revenues of the trust funds; prescribing procedures for the termination of the trust funds; amending s. 17.61, F.S., to conform; amending s. 20.195, F.S.; providing for the administration of the Administrative Trust Fund, the Alcohol, Drug Abuse, and Mental Health Trust Fund, the Child Welfare Training Trust Fund, the Domestic Violence Trust Fund, the Federal Grants Trust Fund, the Grants and Donations Trust Fund, the Operations and Maintenance Trust Fund, the Social Services Block Grant Trust Fund, the Welfare Transition Trust Fund, and the Working Capital Trust Fund by the Department of Children and Family Services; providing for sources of funds and purposes; providing for annual carryforward of funds; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; amending s. 39.3035, F.S.; providing for the appropriation of funds to the Department of Children and Family Services for the specific purpose of funding children’s advocacy centers; providing for sources of funds and purposes thereof; specifying the use of collected funds; requiring the development of funding criteria and an allocation methodology for distributing such funds; requiring annual reports; requiring an annual report to the Legislature; repealing s. 39.30351, F.S.; eliminating the Child Advocacy Trust Fund to conform to the termination of the fund by this act; amending s. 215.22, F.S.; exempting specified funds disbursed to the Florida Network of Children’s Advocacy Centers, Inc., from the service charge imposed on income of a revenue nature deposited in trust funds; amending s. 938.10, F.S.; providing for deposit of proceeds derived from additional court costs imposed in cases of certain crimes against minors into the Grants and Donations Trust Fund of the department for the purpose of funding children’s advocacy centers; removing obsolete language; removing reporting requirements; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2118**—A bill to be entitled An act relating to trust funds; re-creating the Welfare Transition Trust Fund within the Department of Health without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.435, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2120**—A bill to be entitled An act relating to trust funds of the Department of Veterans' Affairs; creating s. 20.375, F.S.; providing for the administration of the Federal Grants Trust Fund, the Grants and Donations Trust Fund, the Operations and Maintenance Trust Fund, and the State Homes for Veterans Trust Fund by the Department of Veterans' Affairs; providing for sources of funds and purposes; providing for annual carryforward of funds; amending ss. 296.11 and 296.38, F.S.; specifying an additional use of moneys in the Grants and Donations Trust Fund of the department for the benefit of veterans who are residents of the Veterans' Domiciliary Home of Florida or a veterans' nursing home; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2122**—A bill to be entitled An act relating to trust funds of the Department of Health; terminating the Florida Center for Nursing Trust Fund within the Department of Health; providing for the disposition of the balances in and revenues of the trust fund; prescribing procedures for the termination of the trust fund; amending s. 20.435, F.S.; removing obsolete language; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; removing the scheduled termination of the Welfare Transition Trust Fund; providing for the administration of the Brain and Spinal Cord Injury Program Trust Fund, the County Health Department Trust Fund, the Donations Trust Fund, the Florida Drug, Device, and Cosmetic Trust Fund, the Emergency Medical Services Trust Fund, the Epilepsy Services Trust Fund, the Maternal and Child Health Block Grant Trust Fund, the Nursing Student Loan Forgiveness Trust Fund, the Planning and Evaluation Trust Fund, the Preventive Health Services Block Grant Trust Fund, the Radiation Protection Trust Fund, the Rape Crisis Program Trust Fund, and the United States Trust Fund by the Department of Health; providing for sources of funds and purposes; providing for annual carryforward of funds; amending s. 215.22, F.S.; exempting voluntary contributions to the Florida Center for Nursing from the service charge imposed on income of a revenue nature deposited in trust funds; removing reference to the Florida Center for Nursing Trust Fund, to conform to the termination of the fund; amending s. 215.5601, F.S.; conforming a cross-reference; amending s. 464.0195, F.S., to conform; repealing s. 464.0198, F.S., which creates the Florida Center for Nursing Trust Fund, to conform; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senator Peaden—

**SB 2124**—A bill to be entitled An act relating to trust funds of the Department of Elderly Affairs; creating s. 20.415, F.S.; providing for the administration of the Administrative Trust Fund, the Tobacco Settlement Trust Fund, the Federal Grants Trust Fund, the Grants and Donations Trust Fund, and the Operations and Maintenance Trust Fund by the department; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for reversion of funds in the Tobacco Settlement Trust Fund; providing for certification of undisbursed obligated general revenue appropriation balances in the Grants and Donations Trust Fund for a specified period of time; repealing s. 430.41,

F.S., which creates the Grants and Donations Trust Fund, to conform; repealing s. 430.42, F.S., which creates the Department of Elderly Affairs Tobacco Settlement Trust Fund, to conform; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By Senators Alexander and Lawson—

**SB 2126**—A bill to be entitled An act relating to trust funds; re-creating the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection without modification; repealing s. 403.891(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senators Alexander and Lawson—

**SB 2128**—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Fish and Wildlife Conservation Commission without modification; repealing s. 372.101(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senators Alexander and Lawson—

**SB 2130**—A bill to be entitled An act relating to trust funds; re-creating the Federal Grants Trust Fund within the Fish and Wildlife Conservation Commission without modification; repealing s. 372.102(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senators Alexander and Lawson—

**SB 2132**—A bill to be entitled An act relating to trust funds; re-creating the Grants and Donations Trust Fund within the Fish and Wildlife Conservation Commission without modification; repealing s. 372.103(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senators Alexander and Lawson—

**SB 2134**—A bill to be entitled An act relating to trust funds; creating the Working Capital Trust Fund within the Department of Financial Services; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Fasano—

**SB 2136**—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of State; provid-

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

—was referred to the Committee on Transportation and Economic Development Appropriations.

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By Senator Fasano—

**SB 2138**—A bill to be entitled An act relating to trust funds; creating the Clearing Funds Trust Fund within the Department of State; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; amending ss. 99.092 and 99.093, F.S.; clarifying provisions requiring that election assessments be transferred to the Elections Commission Trust Fund within the Department of Legal Affairs; amending s. 105.031, F.S.; requiring that the filing fees for certain offices be transferred to the Department of Legal Affairs rather than the Department of Revenue for deposit into the Elections Commission Trust Fund; amending s. 106.24, F.S.; deleting an obsolete reference to the Division of Elections with respect to the use of funds in the Elections Commission Trust Fund; amending s. 610.104, F.S.; requiring that certain funds paid to the Department of State by cable or video providers be deposited into the Clearing Funds Trust Fund rather than the Operating Trust Fund; providing an effective date.

—was referred to the Committee on Transportation and Economic Development Appropriations.

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By Senator Fasano—

**SB 2140**—A bill to be entitled An act relating to trust funds; re-creating the Welfare Transition Trust Fund within the Department of Military Affairs without modification; repealing s. 250.175(5)(d), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on Transportation and Economic Development Appropriations.

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By Senator Fasano—

**SB 2142**—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of Community Affairs; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Transportation and Economic Development Appropriations.

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By Senator Fasano—

**SB 2144**—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of State; providing for disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 257.43, F.S.; requiring that certain moneys received by the Division of Library and Information Services be held in the Grants and Donations Trust Fund rather than the operating trust fund; amending ss. 265.284 and 265.703, F.S.; requiring that certain donations and income received by the Division of Cultural Affairs, including moneys received from rentals of facilities and properties, be deposited into the Grants and Donations Trust Fund; eliminating provisions creating the Florida Fine Arts Trust Fund; amending ss. 267.0617, 267.0619, 267.072, 267.0731, 267.074, and 267.115, F.S.; providing for the Grants and Donations Trust Fund rather than the Historical Resources Operating Trust Fund to be used for administering the Historic Preservation Grant Program, the program providing Historical Museum Grants, Museum of Florida History programs, the Great Floridians Program, the State Historical Marker Program, and provisions governing objects of historical or archaeological value; amending ss. 267.081 and 267.17, F.S.; requiring that moneys received by the Division of Historical Resources from the sale of publications and the rental of facilities and properties be held in the Grants and

Donations Trust Fund rather than the operating trust fund; amending s. 267.174, F.S.; providing for the Grants and Donations Trust Fund rather than the Historical Operating Trust Fund to receive remaining assets following the termination of the Discovery of Florida Quincentennial Commemoration Commission and its support organization; providing an effective date.

—was referred to the Committee on Transportation and Economic Development Appropriations.

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By Senator Fasano—

**SB 2146**—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Community Affairs; providing for disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 420.36, F.S.; redesignating the Energy Consumption Trust Fund within the Department of Community Affairs as the Federal Grants Trust Fund; providing a contingent effective date.

—was referred to the Committee on Transportation and Economic Development Appropriations.

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By Senators Haridopolos, Fasano and Dean—

**SB 2148**—A bill to be entitled An act relating to public construction works; amending s. 255.20, F.S.; revising requirements for a county, municipality, special district, or other political subdivision of the state to competitively award contracts for certain construction projects; revising exceptions to those requirements; providing procedures for an exception to those requirements when all bids or proposals are greater than a threshold amount; providing that certain construction contract terms limiting the right of a contractor to recover certain costs or damages are void; providing that certain decisions by the local governmental entity concerning additional compensation or time to which a contractor is entitled are subject to de novo review in state court; amending s. 336.41, F.S.; revising provisions authorizing a county to employ labor and provide equipment for road and bridge projects; removing authorization for a county to use its own resources for constructing and opening new roads and bridges; revising requirements for certain county road and bridge projects to be let to contract; authorizing the governing body of a municipality to employ labor and provide equipment for repair and maintenance of roads and bridges; requiring county and municipal construction and reconstruction projects using certain tax revenues to be let to contract; providing exceptions; authorizing a municipality to require that persons interested in performing work under the contract first be certified or qualified to do the work when the contract amount exceeds a certain threshold; providing for qualification of a contractor by the Department of Transportation; providing that a contractor may be considered ineligible to bid by the municipality if the contractor is behind an approved progress schedule by more than a certain amount on another project for that municipality at the time of the advertisement of the work requiring prequalification; authorizing an appeal process; requiring prequalification criteria and procedures to be published prior to advertisement or notice of solicitation; requiring notice of a public hearing for comment on such criteria and procedures prior to adoption; requiring the procedures to provide for an appeal process for objections to the prequalification process; requiring the municipality to publish for comment, prior to adoption, the selection criteria and procedures to be used if such procedures would allow selection of other than the lowest responsible bidder; requiring the selection criteria to include an appeal process; providing an effective date.

—was referred to the Committees on Community Affairs; Transportation; Governmental Operations; and General Government Appropriations.

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By Senator Bennett—

**SB 2150**—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.27, F.S.; redefining the term “motor vehicle dealer” to remove provisions excluding a dealer engaging in transactions of certain vehicles; providing conforming penalty provisions; creating s. 320.6425,

F.S.; prohibiting unlawful and additional motor vehicle dealership locations in violation of laws restricting the establishment of dealerships representing the same line-make; providing guidelines for determining what constitutes such locations; providing penalties for establishing an unlawful additional motor vehicle dealership or supplying a motor vehicle to such a dealership; exempting certain dealer-to-dealer transfers; providing an effective date.

—was referred to the Committees on Transportation; Commerce; and Judiciary.

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By the Committee on Criminal Justice—

**SB 2152**—A bill to be entitled An act relating to disqualifications for employment; amending s. 112.011, F.S.; providing that a person may not be disqualified from receiving a license, permit, or certificate or from obtaining public employment on the grounds that the person's civil rights have not been restored; providing that a person is not required to secure the restoration of his or her civil rights or prove that his or her civil rights have been restored in order to receive a license, permit, or certificate or to obtain public employment; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Operations; and Judiciary.

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By the Committee on Criminal Justice—

**SB 2154**—A bill to be entitled An act relating to juvenile justice; amending s. 985.03, F.S.; defining the term “ordinary medical care”; amending s. 985.04, F.S.; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.494, F.S.; removing references to the early delinquency intervention program when the court considers where to commit a delinquent; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.644, F.S.; deleting references to the Department of Children and Family Services for contracting services that carry out the purposes of the Department of Juvenile Justice; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; repealing s. 985.61, F.S., relating to the early delinquency intervention program; amending s. 985.721, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Governmental Operations; and Criminal and Civil Justice Appropriations.

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By the Committee on Banking and Insurance—

**SB 2156**—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; creating the Division of the Florida Hurricane Catastrophe Fund as a division of the State Board of Administration; providing for a board of the division; revising legislative findings; revising the definition of “retention,” “covered policy,” and “estimated claims-paying capacity” to account for the creation of the division; defining the terms “division,” “director,” “FHCF,” “fund,” and “board”; clarifying provisions requiring the State Board of Administration to invest certain funds; requiring that the board of the division appoint a director; providing duties of the director; providing that the appointment of a director is subject to the approval of the board by a majority vote; authorizing the division to employ or contract with such staff as the division deems necessary to administer the fund; requiring that the division enter into a contract with each insurer writing covered policies in this state to provide to the insurer reimbursement as prescribed by state law; requiring that such contracts contain certain elements or provisions and provide the division with certain obligations;

requiring that the division publish certain information in the Florida Administrative Weekly at specified times; authorizing the payment of advancements of reimbursements or reimbursement premiums to certain entities under certain conditions; requiring that the division inspect, examine, and verify the records of each insurer's covered policies at such times as the division deems appropriate and according to standards established by rule for the specific purpose of validating the accuracy of exposures and losses required to be reported under the terms and conditions of the reimbursement contract; providing for the payments of expenses associated with such inspection, examination, or verification; providing for the reimbursement of the division for such expenses by an insurer under certain circumstances; authorizing the division to take certain action if it finds any insurer's records or other necessary information to be inadequate or inadequately posted, recorded, or maintained; requiring that the division select an independent consultant to develop a formula for determining the actuarially indicated premium to be paid to the fund; requiring that the division consider certain factors when establishing a reimbursement premium; providing for the calculation of such premium by the division; providing for the payment of reimbursement premium; providing for the collection of interest on certain late reimbursement premium payments; providing responsibilities of the division if Citizens Property Insurance Corporation assumes or otherwise provides coverage for policies of an insurer placed in liquidation; authorizing the division to execute agreements regarding revenue bonds or other financing arrangements for the purpose of evidencing, securing, preserving, or protecting a pledge of revenue by the corporation; requiring that the Florida Surplus Lines Service Office assist the division in ensuring the accurate and timely collection and remittance of assessments of surplus lines premiums; requiring that the office report certain information to the division at a time and in a manner prescribed by the division; providing for the issuance of revenue bonds through counties or municipalities; revising the membership of the Florida Hurricane Catastrophe Fund Finance Corporation; providing that there is no liability on the part of any member of the board of directors or employees of the corporation for any actions taken by them in the performance of their duties; providing additional powers and duties of the board of the division and the division; requiring that the board of the division appoint an advisory council; providing for membership of the council; providing duties of the council; authorizing the division to take any action necessary to enforce certain rules and provisions of a reimbursement contract; requiring that the division make certain recommendations to the Legislature upon the creation of a federal or multistate catastrophic insurance or reinsurance program intended to serve purposes similar to the purposes of the fund; providing for the reversion of fund assets upon termination of the fund; providing for optional coverages of the fund; revising the temporary increases in coverage limits (TICL); requiring that a TICL addendum contain a promise by the division to make certain reimbursements to the TICL insurer; including the level of TICL coverage specified by the board among the factors that must be considered when determining the amount of increase in the claims-paying capacity of the fund; amending s. 215.557, F.S.; conforming provisions to changes made by the act; amending s. 215.5586, F.S.; requiring that the director of the division serve on the advisory council of the My Safe Florida Home Program; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; conforming a cross-reference; amending s. 215.5595, F.S., relating to the Insurance Capital Build-up Incentive Program; conforming provisions to changes made by the act; revising the definition of “board” to conform to changes made by the act; amending s. 627.0628, F.S.; revising legislative intent; assigning the Florida Commission on Hurricane Loss Projection Methodology to the division; requiring that the director of the fund serve on the commission; requiring that the board of the division annually appoint one of the members of the commission to serve as chair; requiring that the division provide for travel, expenses, and staff support for the commission; indemnifying members and employees of the division from liability for action taken with respect to the commission or its activities; requiring that the division employ certain methods, principles, standards, models, or output ranges when establishing reimbursement premiums for the fund; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Operations; Finance and Tax; and General Government Appropriations.

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**SB 2158**—Previously referenced.

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By Senator Deutch—

**SB 2160**—A bill to be entitled An act relating to sales tax exemptions; amending s. 212.08, F.S.; exempting the sale or lease of gasoline-electric hybrid vehicles and vehicles powered by certain other alternative fuels from the tax on sales, rental, use, consumption, storage, or distribution imposed by state law; providing certain mileage requirements for the vehicle; limiting the amount of the tax exemption; providing for future expiration of the exemption; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Finance and Tax; and General Government Appropriations.

By Senator Wilson—

**SB 2162**—A bill to be entitled An act relating to smoking in a motor vehicle occupied by a child; creating s. 316.6137, F.S.; providing legislative intent; providing definitions; providing that it is unlawful for any person to operate or occupy a motor vehicle while smoking when a child under 18 years of age is occupying the motor vehicle; providing a penalty; requiring the Division of Motor Vehicles of the Department of Highway Safety and Motor Vehicles to provide notice of the provisions of the act; providing an effective date.

—was referred to the Committees on Transportation; Health Policy; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Jones—

**SB 2164**—A bill to be entitled An act relating to fiduciaries; creating s. 90.5021, F.S.; providing a fiduciary lawyer-client privilege for purposes of the Florida Evidence Code; providing that a communication between a lawyer and a client acting as a fiduciary is privileged and protected from disclosure; amending s. 736.0703, F.S.; providing exceptions to duties and liabilities of cotrustees for excluded cotrustees under certain circumstances; providing for liabilities and obligations of included cotrustees; amending s. 736.0802, F.S.; providing an exception for trustee payments of costs and attorney’s fees from trust assets except pursuant to court order under certain circumstances; providing requirements for obtaining such a court order; preserving certain court remedies; amending s. 736.1008, F.S.; specifying when a claim accrues against a trustee for breach of trust based on a matter not adequately disclosed; providing for application; specifying periods of repose barring claims by a beneficiary against a trustee; providing for construction; providing for application; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Wilson—

**SB 2166**—A bill to be entitled An act relating to a personal financial responsibility pilot program; establishing a 3-year pilot program in the state for certain purposes; providing a program goal; requiring the Commissioner of Education to develop a program curriculum and select certain school districts for participation; requiring a report to the Governor and Legislature; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Banking and Insurance; and Education Pre-K - 12 Appropriations.

By Senator Crist—

**SB 2168**—A bill to be entitled An act relating to penalties for driving under the influence; amending s. 316.193, F.S.; requiring a court to order a defendant, after a first conviction for driving under the influence, to participate in not less than 50 hours of community service as a condition

of probation; authorizing a court to impose a specified fine under certain conditions; providing an exception; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Oelrich—

**SB 2170**—A bill to be entitled An act relating to retirement for medical faculty at colleges of medicine at state universities; amending s. 121.021, F.S.; clarifying that the term “compensation” for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a college of medicine in a state university; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a college of medicine of a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions; amending s. 121.35, F.S.; defining the term “participant’s gross monthly compensation” for purposes of the optional retirement program for the State University System; providing that the entities of the state university faculty practice plan are agents for the collection and administration of income generated from university faculty practice activities; specifying that such entities are not providers of medical services or the employer of any faculty physicians and do not have any partnership or agency relationship with faculty physicians or other health care professionals; providing an effective date.

—was referred to the Committees on Higher Education; Governmental Operations; and General Government Appropriations.

By Senator Crist—

**SB 2172**—A bill to be entitled An act relating to detention by licensed security officers; amending s. 493.6305, F.S.; permitting certain licensed security officers to detain certain individuals until the arrival of law enforcement officers; providing limits on such detention; requiring the transfer of alleged offenders to officers’ custody; authorizing limited searches of persons detained or about to be detained when the licensed security officer has probable cause to believe that a person is armed with a dangerous weapon; requiring that seized weapons and evidence be provided to a responding law enforcement officer; amending s. 493.6115, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce; Governmental Operations; and Judiciary.

By Senator Posey—

**SB 2174**—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; General Government Appropriations; and Rules.

By Senator Posey—

**SB 2176**—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; General Government Appropriations; and Rules.

By Senator Posey—

**SB 2178**—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; General Government Appropriations; and Rules.

By Senator Posey—

**SB 2180**—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; General Government Appropriations; and Rules.

By Senator Posey—

**SB 2182**—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; General Government Appropriations; and Rules.

By Senator Posey—

**SB 2184**—A bill to be entitled An act relating to the Florida Building Code; expressing the legislative intent to revise laws relating to the Florida Building Code; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; Transportation and Economic Development Appropriations; and Rules.

**SR 2186**—Not referenced.

By Senator Bennett—

**SB 2188**—A bill to be entitled An act relating to mental health and substance abuse services; creating s. 394.8751, F.S.; authorizing the Department of Children and Family Services to establish a pilot program in Manatee County which integrates services provided by an adult mental health crisis stabilization unit and an addictions receiving facility; requiring licensure; providing eligibility criteria for services; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; and Health and Human Services Appropriations.

By Senators Bennett and Storms—

**SJR 2190**—A joint resolution proposing an amendment to Section 9 of Article VII of the State Constitution to limit the total property tax that may be levied on any parcel of real property to 1.35 percent of the property's highest taxable value, to distribute tax revenues that exceed this cap in accordance with general law, and to exempt from this cap taxes levied for the payment of bonds and taxes that are imposed for a period of 2 years or less.

—was referred to the Committees on Community Affairs; Finance and Tax; Education Pre-K - 12 Appropriations; and Rules.

By Senator Storms—

**SB 2192**—A bill to be entitled An act relating to independent living preparation for youth in foster care; amending s. 409.1451, F.S.; authorizing group home provider agencies and residential agencies to prepare and implement developmental plans for children in their care; requiring the Independent Living Services Advisory Council to research and advise the Department of Children and Family Services and the Legislature on specific methods to reduce the number of youth in foster care who attain the age of 18 and do not acquire a high school diploma or its equivalent; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; and Health and Human Services Appropriations.

By Senator Aronberg—

**SB 2194**—A bill to be entitled An act relating to contracting; amending s. 489.105, F.S.; redefining the term “initial issuance”; amending s. 489.115, F.S.; revising requirements for applicants for initial certification as a contractor; authorizing certain certificateholders or registrants to use credit earned for attendance at certain continuing education courses for the purpose of fulfilling specified requirements; requiring that an initial applicant submit a set of fingerprints with his or her application; providing for the payment of costs associated with such fingerprints; requiring that the Department of Law Enforcement forward fingerprints to the Federal Bureau of Investigation for the purpose of performing a criminal background check on the applicant; requiring that the department of Business and Professional Regulation review the results of a background investigation to determine if an applicant meets licensure requirements; authorizing the Construction Industry Licensing Board to review the results of a background investigation for such purpose; authorizing the board to deny licensure under certain circumstances; requiring that the board consider certain information when deciding whether to approve or deny licensure; prohibiting the board from denying licensure to an applicant based solely upon a felony conviction or the applicant's failure to provide proof of restoration of his or her civil rights; authorizing the board to deny licensure based upon an applicant's lack of good moral character or because the applicant was convicted of a crime related to contracting; requiring that an applicant submit or have on file a surety bond before the initial issuance of a certificate or registration; providing requirements for such bond; providing penalties for failure to maintain such bond; authorizing persons who contract with a certificateholder or registrant for the performance of work that would require a license pursuant to state law to bring an action against the bond for damages resulting from acts by the certificateholder or registrant which constitute violations of state law; providing that a surety may cancel a bond upon a specified period of written notice to the department; providing that such surety remains liable for any damages arising out of a contract entered into before the date on which the surety canceled the bond; providing that an irrevocable letter of credit may be furnished to the department in lieu of a bond; providing for financial recovery by injured consumers against contractors providing such a letter of credit; amending s. 489.119, F.S.; requiring that an applicant seeking to engage in contracting as a business organization apply to qualify the business organization with the department; providing requirements for applications to qualify a business organization; deleting provisions relating to applications as a financially responsible officer and secondary qualifying agent; authorizing the board to deny an application under certain circumstances; deleting a provision relating to the renewal of a certificate of authority; deleting a provision requiring that a qualifying agent be certified or registered for a business organization to be issued a certificate of authority in the category of the business conducted for which the qualifying agent is certified or registered; deleting a provision requiring the issuance of a certificate of authority under certain circumstances; deleting a provision relating to disciplinary action against a business organization holding a certificate of authority; providing requirements for an application for an occupational license in a county or municipality; providing for the issuance of registration or certification numbers in lieu of certificate of authority numbers; requiring that such number appear on certain documents; providing for the payment of a fee to qualify as a new business organization; requiring that a qualifying agent provide evidence of certain information to the department when attempting to qualify additional business organizations; providing that approval for each business organization is discretionary with the board; amending s. 489.1195, F.S.; prohibiting the

board from approving secondary qualifying agents or financially responsible officers after a specified date; amending ss. 489.127, 489.128, and 489.129, F.S.; revising provisions to conform to changes made by the act; amending s. 489.140, F.S.; requiring that funding for the Florida Homeowners' Construction Recovery Fund cease on a specified date; requiring that all funds remaining in the recovery fund at that time be transferred to the board; amending s. 489.1401, F.S.; providing legislative intent; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; Banking and Insurance; and General Government Appropriations.

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**SB 2196**—Not referenced.

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By Senator Bennett—

**SB 2198**—A bill to be entitled An act relating to event tickets; amending s. 817.357, F.S.; providing that it is a violation of the Florida Deceptive and Unfair Trade Practices Act for any person to knowingly purchase from the original ticket seller a quantity of tickets to an event which exceeds the maximum ticket limit quantity posted by or on behalf of the original ticket seller at the point of original sale or printed on the tickets themselves with intent to resell such tickets; providing that it is a violation of the Florida Deceptive and Unfair Trade Practices Act for an original ticket seller to knowingly withhold, restrict, or otherwise prevent the availability of any tickets to the public with the intent to manipulate ticket prices for events at certain venues; providing that it is a violation of the Florida Deceptive and Unfair Trade Practices Act for an original ticket seller to knowingly refuse to post on a publicly available Internet website certain information in connection with the sale, allocation, or distribution of tickets to every event at certain venues within a specified period; providing that it is a violation of the Florida Deceptive and Unfair Trade Practices Act for a person to knowingly make available for sale on a ticket exchange or auction website any tickets to events at certain venues which were not first made available for sale to the public for a specified period, or attempt to restrict by any means the resale of such tickets as a condition of purchase or retention of such tickets or any contractual rights associated therewith; providing that it is a violation of the Florida Deceptive and Unfair Trade Practices Act for any operator of a place of entertainment to deny access to a ticket holder who possesses a resold ticket solely because that ticket was resold; amending s. 817.36, F.S.; providing a civil penalty for violations of state law regarding the resale of tickets; providing an effective date.

—was referred to the Committees on Commerce; Judiciary; and Criminal and Civil Justice Appropriations.

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**SB 2200**—Withdrawn prior to introduction.

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By Senator Dean—

**SB 2202**—A bill to be entitled An act relating to career service employees; amending s. 110.227, F.S.; revising requirements for disciplining an employee and which employees are subject to certain personnel actions; specifying the requirements for achieving permanent status in the Career Service System; revising criteria for certain rules and procedures for the suspension, reduction in pay, transfer, layoff, demotion, and dismissal of career service employees; including career service employees with other employees who may be “bumped”; revising provisions relating to the applicability of layoff procedures; providing that the grievance process is available to all career service employees; increasing the amounts of time in which to submit grievances and respond to grievances; revising what written decisions of the agency are the final authority for all grievances at the Step Two level; authorizing certain Step Two grievances to be submitted to the Department of Management Services; revising notice requirements; providing for the removal and placement of certain career service employees serving a probationary period; authorizing certain employees to appeal to the Public Employees Relations Commission; increasing the amount of time in which the employee must file an appeal; revising procedures applicable to appeals filed with the

commission; providing for mitigation in disciplinary actions; revising which actions must be reviewed without consideration of any other case or set of facts; providing an effective date.

—was referred to the Committees on Governmental Operations; Judiciary; and General Government Appropriations.

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**SR 2204**—Not referenced.

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By Senator Baker—

**SB 2206**—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Florida Tennis license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Commerce; and Transportation and Economic Development Appropriations.

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By Senator Lynn—

**SB 2208**—A bill to be entitled An act relating to the Florida Poet Laureate; amending s. 265.285, F.S.; specifying that duties of the Florida Arts Council include the promotion of poetry literature by recommending nominations for the Florida Poet Laureate; creating s. 265.2863, F.S.; creating the honorary position of Florida Poet Laureate; providing for appointment; providing that the Florida Poet Laureate does not receive compensation; providing for the nomination process; providing responsibilities of the Florida Arts Council; providing criteria for the Florida Poet Laureate position; providing term of service; providing for the filling of a vacancy; requiring the Division of Cultural Affairs of the Department of State to adopt rules; requiring the Secretary of State to annually request an appropriation to carry out the purposes of the section if certain other sources of funding are not available; providing for designation of Florida Poet Laureate Emeritus; providing an effective date.

—was referred to the Committees on Governmental Operations; Education Pre-K - 12; and Transportation and Economic Development Appropriations.

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By the Committee on Higher Education—

**SB 2210**—A bill to be entitled An act relating to student financial aid; amending ss. 1009.89 and 1009.891, F.S., relating to the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program; deleting provisions indicating that the programs are tuition assistance programs rather than financial aid programs; requiring that an institution meet a specified retention rate in order to participate in either program; requiring that a student receiving an award under either program maintain a specified grade point average, earn a certain amount of academic credit each semester or equivalent term, file certain information with the Department of Education concerning financial need, and demonstrate unmet financial need at the institution; requiring institutions participating in either program to remit to the department the amount of tuition assistance expended for students who fail to meet certain requirements; limiting the period during which a student may receive an award of tuition assistance; providing an effective date.

—was referred to the Committees on Higher Education; Commerce; and Higher Education Appropriations.

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By the Committee on Communications and Public Utilities—

**SB 2212**—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.012, F.S.; renaming the Committee on Public Service Commission Oversight, a standing joint committee of the Legislature, as the “Committee on Public Counsel Oversight”; deleting the committee’s authority to recommend to the Governor nominees to fill

vacancies on the Public Service Commission; deleting the committee's authority to file an ethics complaint against a member, former member, or former employee of the commission, or a member of the Public Service Commission Nominating Council; amending s. 350.031, F.S.; increasing the number of members on the council; requiring the President of the Senate and the Speaker of the House of Representatives to appoint a chair and vice chair to the council in alternating years; requiring the council to submit recommendations for vacancies on the Public Service Commission to the Governor; requiring the council to nominate a minimum of three persons for each vacancy; revising the date that recommendations for vacancies must be submitted; providing for the council to fill a vacancy on the commission if the Governor fails to do so; authorizing the Governor to recall an appointee; amending ss. 350.061 and 350.0614, F.S., relating to the appointment, oversight, and compensation of the Public Counsel; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Ethics and Elections; General Government Appropriations; and Rules.

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By Senator Aronberg—

**SB 2214**—A bill to be entitled An act relating to mortgage rescue fraud; providing a short title; providing legislative findings and declarations; providing intent and purposes; providing definitions; providing requirements for foreclosure consultant contracts; providing requirements for notices of cancellation; providing for rescission of foreclosure consultant contracts; providing requirements for foreclosure conveyance contracts; providing for contract terms; providing requirements for cancellation of foreclosure conveyance contracts; providing requirements for notices of cancellation; providing for unenforceability of waivers of provisions of the act; providing exceptions; specifying prohibited activities for foreclosure consultants and foreclosure purchasers; specifying required activities for foreclosure purchasers; providing a definition; specifying certain violations as unlawful practices; providing for remedies under the Florida Deceptive and Unfair Trade Practices Act; providing for judgments for damages, attorney's fees and costs, and equitable relief; providing for awards of damages; providing limitations on certain actions; specifying the offense of criminal mortgage rescue fraud; providing criminal penalties; providing for limiting contract provisions requiring arbitration; providing for application; providing severability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Criminal Justice; Judiciary; and General Government Appropriations.

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By Senator Storms—

**SB 2216**—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a criminal records check to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.;

revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a criminal records check to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or act as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the agency to compile an annual report for the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.19(7), F.S., relating to survey fees charged for complaint investigations of assisted living facilities; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Health and Human Services Appropriations.

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By the Committee on Transportation—

**SB 2218**—A bill to be entitled An act relating to driver's licenses; amending s. 322.02, F.S.; requiring the Department of Highway Safety and Motor Vehicles to collect and report to the Legislature information concerning customer service at driver's license offices; amending 322.135, F.S.; increasing the amount of the service fee that may be charged by driver's license agents; providing an effective date.

—was referred to the Committees on Transportation; Finance and Tax; and Transportation and Economic Development Appropriations.

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By the Committee on Transportation—

**SB 2220**—A bill to be entitled An act relating to a review of the Department of Highway Safety and Motor Vehicles under the Florida Government Accountability Act; reenacting s. 20.24, F.S., relating to the establishment of the department; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

By the Committee on Agriculture—

**SB 2222**—A bill to be entitled An act relating to a review of the Department of Citrus under the Florida Government Accountability Act; reenacting ss. 20.29, 601.04, and 601.05, F.S., relating to the Department of Citrus and the Florida Citrus Commission; repealing s. 601.154, F.S., relating to the Citrus Stabilization Act of Florida; providing an effective date.

—was referred to the Committees on Agriculture; and General Government Appropriations.

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**SB 2224**—Previously referenced.

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By Senator Aronberg—

**SB 2226**—A bill to be entitled An act relating to water restrictions; amending s. 373.246, F.S.; authorizing the governing board of a water management district or the Department of Environmental Protection to issue an order establishing liability, requiring corrective action, or imposing an administrative penalty against a person who violates a declaration of water shortage; providing that a court may enter a judgment based on such order; requiring the governing board or the department to issue a notice of noncompliance before taking action against a violator, except if such violator has a history of noncompliance; requiring the governing board or the department to send a written notice of violation to the violator by certified mail; requiring that such notice contain certain information; providing that an order is not effective until the violator has been served notice and an administrative hearing is held; requiring the violator to file a petition in response to the order and request a hearing within a specified time or waive the right to such hearing; providing that such violator is the respondent for hearing purposes; requiring the governing board or the department to refer a timely filed petition to the Division of Administrative Hearings; requiring the hearing to be held in the same county in which the violation occurred; providing that the governing board or the department has the burden of proving by a preponderance of the evidence that the respondent is responsible for the violation; requiring the administrative law judge to conduct the hearing using the summary hearing process; requiring the administrative law judge to issue a final order; providing for the prevailing party to recover all costs, including attorney's fees; providing that the governing board or the department may pursue injunctive relief in addition to any other administrative action; providing a schedule of administrative penalties; requiring the administrative law judge to add the direct economic benefit that the violator gained to the penalty; providing that evidence of mitigating circumstances may reduce a penalty; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Judiciary; and General Government Appropriations.

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By Senator Siplin—

**SB 2228**—A bill to be entitled An act relating to child support; amending s. 742.18, F.S.; eliminating the requirement for a man seeking to disestablish paternity and terminate a child support obligation to affirm that he is current on his child support obligation or that any delinquency is based on inability to pay; providing for relief from past-due child support obligations; revising a provision relating to naming the father on a child's birth certificates to conform to procedures under ch. 383, F.S.; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and General Government Appropriations.

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By Senator Aronberg—

**SB 2230**—A bill to be entitled An act relating to mangrove protection; amending s. 403.121, F.S.; expanding the penalty previously applicable to violations involving mangrove trimming or alteration to apply to any violation under the Mangrove Trimming and Preservation Act; amending s. 403.9323, F.S.; clarifying legislative intent with respect to the

protection of mangroves; amending s. 403.9324, F.S.; authorizing the Department of Environmental Protection to adopt by rule certain exemptions and general permits under the Mangrove Trimming and Preservation Act; amending s. 403.9329, F.S.; clarifying the department's authority to revoke a person's status as a professional mangrove trimmer; amending s. 403.9331, F.S.; providing that the Mangrove Trimming and Preservation Act does not authorize trimming on uninhabited islands or lands that are publicly owned or set aside for conservation or mitigation except under specified circumstances; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

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By Senator Fasano—

**SB 2232**—A bill to be entitled An act relating to the protection of minors online; defining the term "Internet access provider"; requiring providers to make available to customers in this state a product or service that enables the subscriber to regulate a minor's use of the service to access the Internet if certain conditions exist; providing requirements for such a product or service; requiring that interactive computer services take necessary steps to preserve records and evidence upon request of law enforcement agencies investigating specified crimes involving minor victims; requiring retention of such records and information for specified periods; providing search warrant compliance requirements for interactive computer services for investigations of specified offenses involving minor victims; providing for compliance without compulsory legal process in investigations of certain offenses involving minor victims involving immediate danger of death or serious bodily harm; providing for construction of provisions in a manner consistent with specified federal laws; creating s. 847.0141, F.S.; requiring interactive computer services to make certain reports when a violation of child pornography laws is evident to such service; amending ss. 800.04 and 847.0135, F.S.; providing that it is not a defense to charges of certain offenses involving minor victims that the alleged victim was, in fact, a law enforcement officer posing as such minor victim; amending s. 943.043, F.S.; requiring the Department of Law Enforcement to make electronic mail and instant message name information collected from sexual predators and sexual offenders available to certain entities for specified purposes; providing that interactive computers services are not liable for specified actions based on a good faith belief that a user is listed in a sex offender registry; creating s. 948.33, F.S.; providing for lifetime supervision of Internet activities of specified sexual offenders whose offenses involved minor victims; providing for conduct of such supervision; specifying the requirements for such supervision; permitting certain offenders to have their Internet access limited or restricted; providing for petitions for release from such supervision; providing penalties; amending s. 1003.42, F.S.; providing a requirement for Internet safety instruction for students; providing related duties for the Department of Education; providing an effective date.

—was referred to the Committees on Criminal Justice; Communications and Public Utilities; Judiciary; and Criminal and Civil Justice Appropriations.

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By Senator Peaden—

**SB 2234**—A bill to be entitled An act relating to hospitals; amending s. 395.003, F.S.; prohibiting the licensing of additional emergency departments located off the premises of a licensed hospital until January 1, 2010; providing exceptions; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

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By Senator Aronberg—

**SB 2236**—A bill to be entitled An act relating to sexual offenders and sexual predators; creating s. 943.04354, F.S.; requiring a landlord who knowingly solicits, rents, or leases a dwelling unit to a sexual offender or sexual predator to verify that individual's address; requiring that the

landlord notify the sheriff in certain instances; providing criminal penalties; providing a defense; providing definitions; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

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By Senator Garcia—

**SB 2238**—A bill to be entitled An act relating to a Medicaid utilization management program; amending s. 409.912, F.S.; deleting a provision that requires the Agency for Health Care Administration to develop and implement a utilization management program for Medicaid-eligible recipients for the management of occupational, physical, respiratory, and speech therapies; amending s. 409.91211, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health Policy; Health Regulation; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

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By Senator Hill—

**SB 2240**—A bill to be entitled An act relating to voting rights; amending s. 14.28, F.S.; requiring that records developed or maintained by a state agency pursuant to an investigation by the Board of Executive Clemency be released to the person who is the subject of such investigation or his or her legal representative; authorizing public access to certain data; creating s. 97.017, F.S.; requiring that an authorized agent of the Division of Elections provide to the Governor the necessary voter registration applications and other forms required for the restoration of a convicted felon's voting rights before the convicted felon is released from supervision; requiring the authorized agent to perform certain tasks; amending s. 98.045, F.S.; providing that any information indicating that a person's civil rights have been restored through the executive clemency process be considered a written request from that person to have his or her name placed back into the statewide voter registration system; requiring that the supervisor of elections perform certain tasks; amending s. 98.065, F.S.; requiring that a supervisor of elections who receives certain information from the Office of Executive Clemency send an address-confirmation notice to the address at which the subject voter was last registered; providing for the immediate addition of names to the statewide voter registration system under certain circumstances; amending s. 98.0755, F.S.; providing an exemption from payment of costs for a trial in which a person appeals a determination of ineligibility to register to vote; amending s. 98.081, F.S.; providing for the restoration of the names of certain individuals to the statewide voter registration system under certain circumstances, even if the registration period for a given election is closed; amending s. 98.093, F.S.; including a list of persons whose civil rights have been restored among the required information that must be furnished by state and local government agencies to the Department of State; requiring that the department identify certain individuals upon receipt of such list; requiring that the board furnish certain information to each supervisor of elections; amending s. 104.051, F.S.; providing that any department employee who attempts to influence or interfere with any elector voting a ballot commits a felony of the third degree; creating s. 940.09, F.S.; requiring that the office provide a voter registration applicant who has been granted clemency with a certified copy of the applicant's certificate of rights restoration free of charge and without delay; creating s. 940.066, F.S.; requiring that the division inform and educate certain persons about voting and the voting process, and provide such persons with voter registration applications on a certain date; amending s. 945.10, F.S.; authorizing access to certain data, even if such data were considered confidential when originally transferred to the office; providing an effective date.

—was referred to the Committees on Ethics and Elections; Criminal Justice; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Oelrich—

**SB 2242**—A bill to be entitled An act relating to the dispensing of drugs; creating s. 765.5225, F.S.; prohibiting a pharmacist from dispensing an immunosuppressive drug following an organ transplant which is not the specific formulation or manufactured by the specific manufacturer as prescribed by the practitioner; authorizing a pharmacist to substitute a drug product that is generically equivalent to the prescribed drug only upon obtaining written or oral authorization from the prescribing practitioner; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

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**SR 2244**—Not referenced.

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By Senator Baker—

**SB 2246**—A bill to be entitled An act relating to land development regulation; amending s. 163.3162, F.S.; providing for the use of certain lands surrounding an agricultural enclave; creating a rebuttable presumption for the imposition of certain development conditions relating to agricultural enclaves; providing a timeframe for submitting certain information relating to proposed plan amendments; creating a rebuttable presumption for denial of or failure to approve plan amendments relating to agricultural enclaves; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; providing applicability to certain pending applications; providing an effective date.

—was referred to the Committees on Agriculture; and General Government Appropriations.

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By Senator Baker—

**SB 2248**—A bill to be entitled An act relating to judicial sales; amending s. 45.031, F.S.; providing for certain sales to be conducted by electronic means; requiring that electronic sales comply with specified procedures; requiring the clerk of the court to provide the public with access to computer terminals for electronic sales; authorizing clerks to receive electronic payments and deposits related to electronic sales; amending s. 45.035, F.S.; increasing the service charge collected by the clerk for a sale conducted by electronic means; providing an effective date.

—was referred to the Committees on Judiciary; Finance and Tax; and Criminal and Civil Justice Appropriations.

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By Senator Baker—

**SB 2250**—A bill to be entitled An act relating to renewable energy; providing legislative findings regarding the state's energy policy; creating the Task Force on Oil and Natural Gas Inventory; providing for membership of the task force; requiring appointments to be made by a certain date; providing for administrative support; providing for duties and responsibilities; requiring the task force to submit a report and recommendations to the Legislature by a certain date; amending s. 196.175, F.S.; revising provisions relating to the renewable energy source exemption; revising the date on which certain energy source devices are excluded from the exemption; amending s. 212.08, F.S.; revising the definition of "ethanol"; defining the term "renewable fuel"; providing a tax exemption for the sale or use of renewable fuel; providing that such exemption is limited to one purchase of an eligible item; amending s. 220.192, F.S.; defining the term "corporation"; revising the definition of "eligible costs" to include renewable fuels; providing for transfer of the renewable energy technologies investment tax credit; providing requirements for such transfer; requiring that the tax credit be passed through to certain taxpayers; authorizing the Department of Revenue to adopt rules regarding the transfer and pass through of such tax credit; amending s. 220.193, F.S.; defining the term "sale" or "sold"; providing that the use of the renewable energy production credit does not reduce the alternative minimum tax credit; repealing s. 52, chapter 2007-73, Laws of Florida, relating to the Renewable Energy Technologies Grants Program; amending s. 377.806, F.S.; requiring an applicant

to file a preapplication to receive a rebate under the solar photovoltaic system incentive; deleting a provision that requires Btu to be verified in determining the rebate amount; limiting rebates to one type of system per resident per fiscal year; requiring the Department of Environmental Protection to adopt rules regarding applications for rebate reservations and rebate payments; amending s. 570.957, F.S.; extending the expiration date for the Farm-to-Fuel Grant Program; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Finance and Tax; and General Government Appropriations.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Environmental Preservation and Conservation; and Senator Baker—

**CS for SB 192**—A bill to be entitled An act relating to state parks; amending s. 258.007, F.S.; deleting a penalty for a rule violation; creating s. 258.008, F.S.; creating penalties for the violation of rules adopted under ch. 258, F.S., and for specified activities within the boundaries of a state park; providing for fines to be deposited into the State Park Trust Fund; amending s. 316.212, F.S.; authorizing the operation of a golf cart within a state park under certain circumstances; amending s. 316.2125, F.S.; conforming a cross-reference; amending s. 316.2126, F.S.; authorizing state employees, state park volunteers, and state park visitors to operate golf carts and utility vehicles on public roads within state park boundaries for certain purposes subject to specified conditions; conforming cross-references; providing an effective date.

By the Committees on Judiciary; Education Pre-K - 12; and Senator Wise—

**CS for CS for SB 242**—A bill to be entitled An act relating to education; amending s. 1000.05, F.S.; providing that students may be separated by gender for specified single-gender programs; amending s. 1002.20, F.S.; providing that options for public school choice may include single-gender programs; creating s. 1002.311, F.S.; authorizing district school boards to establish a nonvocational class, extracurricular activity, or school in which enrollment is limited to students of a single gender; providing conditions for such authorization; requiring that students' participation in single-gender programs be voluntary; requiring evaluation of single-gender programs every 2 years; providing an effective date.

By the Committee on Agriculture; and Senator Constantine—

**CS for SB 310**—A bill to be entitled An act relating to biomass energy production; amending s. 212.08, F.S.; revising the definition of “ethanol”; increasing the limit on the amount of taxes that are exempt for the sale or use of materials used to distribute biodiesel and ethanol; limiting the tax exemption to certain end users; providing that such exemption is limited to one purchase of an eligible item; amending s. 220.192, F.S.; providing for transfer of the renewable energy technologies investment tax credit; providing requirements for such transfer; requiring that the tax credit be passed through to certain taxpayers; authorizing the Department of Revenue to adopt rules regarding the transfer and pass through of such tax credit; amending s. 220.193, F.S.; defining the term “sale” or “sold”; providing that the use of the renewable energy production credit does not reduce the alternative minimum tax credit; creating s. 570.956, F.S.; providing definitions; continuing the Farm-to-Fuel Grants Program within the Department of Agriculture and Consumer Services; providing that matching grants be made available for certain bioenergy projects; requiring the department to adopt rules; providing certain factors for consideration in awarding grants; requiring the department to consult with certain agencies and persons; creating s. 570.958, F.S.; creating the Biofuel Retail Sales Incentive Program; providing a purpose; providing that the petroleum consumption be reduced by certain percentages over a specified period; providing definitions; providing an incentive payment to certain retail dealers who sell biofuel after a certain date; requiring the Department of Agriculture and Consumer Services to develop an application form to claim the incentive;

requiring that the application contain certain information; requiring the department to determine the amount of the incentive; requiring the department to prorate the amount of incentives paid to an applicant under certain circumstances; authorizing the department to adopt rules; creating s. 570.959, F.S.; creating the Florida Biofuel Production Incentive Program within the department; providing a purpose; providing definitions; requiring persons engaged in biofuel production to meet certain requirements to receive an economic incentive; providing the criteria for distributing the incentive, subject to appropriation; requiring the department to prorate the amount of incentives to an applicant under certain circumstances; authorizing the department to adopt rules; providing an effective date.

By the Committee on Governmental Operations; and Senator Constantine—

**CS for SB 316**—A bill to be entitled An act relating to energy use; amending s. 255.251, F.S.; revising a short title; amending s. 255.252, F.S.; revising criteria for energy conservation and sustainability for state-owned buildings; requiring buildings constructed and financed by the state to meet certain environmental standards approved by the Department of Management Services; requiring state agencies to identify state-owned buildings that are suitable for guaranteed energy performance savings contracts; providing requirements and procedures therefor; requiring the Department of Management Services to evaluate identified facilities and develop an energy efficiency project schedule; providing criteria for such schedule; establishing standards for the purchase of biodiesel diesel fuel for use in state-owned diesel vehicles and equipment; amending s. 255.253, F.S.; defining the terms “sustainable building” and “sustainable building rating”; amending s. 255.254, F.S.; revising provisions relating to the analysis of the life-cycle costs of state facilities; requiring an energy performance analysis of leased facilities; amending s. 255.255, F.S.; revising energy conservation performance guidelines to be used in life-cycle cost analyses; amending s. 287.063, F.S.; prohibiting the term of payment for consolidated equipment finance contracts from extending beyond the anticipated useful life of the equipment financed; deleting the requirement that the Chief Financial Officer establish criteria that prohibits a state agency from obligating an annualized amount of payments for certain deferred payment purchases; amending s. 287.064, F.S.; extending the period of time allowed for the repayment of funds for certain purchases relating to energy conservation measures; requiring guaranteed energy performance savings contractors to provide for the replacement or the extension of the useful life of the equipment during the term of a contract; amending s. 287.16, F.S.; providing additional duties for the Department of Management Services relating to the energy efficiency of state vehicles; creating s. 377.907, F.S.; requiring the Florida Energy Commission to develop Lead-by-Example initiatives to help defray energy costs and to develop recommendations to promote energy efficiency and clean energy technologies; requiring a report to the Legislature by December 31, 2009, and periodically thereafter; amending s. 489.145, F.S.; revising provisions relating to guaranteed energy performance savings contracting by state agencies to address energy-related operational savings; revising definitions; revising criteria for proposed contracts; specifying documentation that must be submitted for contract review by the Chief Financial Officer; creating s. 1013.441, F.S.; establishing the Green Schools Pilot Project; providing Legislative intent; providing for the selection of three school districts by the State Board of Education; providing for the payment of additional costs associated with meeting specified building construction standards that maximize energy efficiency and minimize adverse environmental effects; providing for the distribution of funding for the project; providing for a report to the Legislature and the Commissioner of Education; establishing standards for the purchase of ethanol for use in state-owned flex-fuel vehicles; providing for administration by the Department of Management Services; requiring that the department annually report to the Legislature the extent of biodiesel and ethanol use in state-owned vehicles; establishing standards for the purchase of biodiesel fuel by school district transportation services; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Wise and Lynn—

**CS for SB 370**—A bill to be entitled An act relating to the personal care attendant program; amending s. 413.402, F.S.; revising provisions

governing a program to provide personal care attendants for persons who have disabilities; requiring the Florida Endowment Foundation for Vocational Rehabilitation to enter into an agreement with the Florida Association of Centers for Independent Living to administer a program to provide such attendants to persons who have severe and chronic disabilities; naming the program the “James Patrick Memorial Work Incentive Personal Attendant Services Program”; providing for payment for the administration of the program; removing a provision requiring interagency memoranda of agreement; revising eligibility requirements for participation in the personal care attendant program; removing provisions concerning the training, selection, and recruitment of personal care attendants; providing for training of program participants concerning hiring and managing an attendant; providing for the adoption and revision of program policies and procedures by the association in cooperation with an oversight group; providing for membership in the oversight group; amending s. 413.4021, F.S.; increasing the percentage of revenues collected from persons who fail to remit sales tax which is deposited in the operating account of the Florida Endowment Foundation for Vocational Rehabilitation to administer the program; deleting a provision requiring that the Florida Endowment Foundation for Vocational Rehabilitation select an entity to administer the program; providing for automatic enrollment in the program for certain persons; providing an effective date.

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By the Committee on Environmental Preservation and Conservation; and Senator Margolis—

**CS for SB 406**—A bill to be entitled An act relating to commercial parasailing; amending s. 327.02, F.S.; providing definitions; creating s. 327.375, F.S.; providing a short title; prohibiting a person from operating or giving permission for the operation of a vessel engaged in commercial parasailing unless he or she obtains a license from the Fish and Wildlife Conservation Commission; requiring that licensing fees be paid into the Marine Resources Conservation Trust Fund in the Fish and Wildlife Conservation Commission; requiring the license to be available for inspection; requiring proof of insurance; requiring the owner of a vessel engaged in commercial parasailing to obtain and carry an insurance policy; providing minimum coverage from the insurance policy; providing requirements for proof of insurance; requiring a person who conducts commercial parasailing activity to provide a copy of the certificate of insurance to each rider upon request; providing certain requirements for a vessel used for commercial parasailing; requiring a person engaged in operating a vessel for commercial parasailing to possess a license to engage in carrying passengers for hire; requiring a minimum age for a person to monitor the progress of an airborne parasail rider and equipment; prohibiting a person from operating a vessel engaged in commercial parasailing unless certain conditions are met; prohibiting a person from operating a vessel towing a commercial parasailing rider in certain waters or within a certain distance of specified objects; providing circumstances in which commercial parasailing is prohibited; providing requirements for tow lines; requiring commercial parasail operators to launch and recover riders from the vessel’s launch platform; requiring a safety briefing for passengers and participants; requiring that a person possess a current cardiopulmonary resuscitation course card and a standard first aid course card in order to operate a parasail vessel; providing that an agreement that attempts to exculpate or release a provider from liability is not enforceable; prohibiting a provider from conditioning participation in commercial parasailing upon the execution of an exculpatory agreement; providing a criminal penalty; providing an effective date.

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By the Committee on Community Affairs; and Senator Constantine—

**CS for SB 560**—A bill to be entitled An act relating to energy efficiency and conservation; amending s. 163.04, F.S.; revising provisions authorizing the use of solar collectors and other energy devices; providing for the installation of solar collectors on certain condominium roofs; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns; requiring that the traffic-circulation element of a local comprehensive plan incorporate transportation strategies to reduce greenhouse gas emissions; requiring each unit of local government within an urbanized area to amend the transportation element of a local comprehensive plan to incorporate transportation strategies addressing

reduction in greenhouse gas emissions; requiring local governments to adopt an energy element by January, 2011, as part of a local comprehensive plan; amending s. 553.73, F.S.; expanding required codes to be included in Florida Building Code updates; amending s. 553.74, F.S.; revising requirements for selecting members of the Florida Building Commission; revising membership of the commission; amending s. 553.77, F.S.; authorizing the commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; establishing a schedule of required increases in the energy performance of buildings subject to the Florida Building Code; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; repealing s. 553.731 F.S.; relating to wind-borne debris protection requirements; providing an effective date.

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By the Committees on Judiciary; Health Regulation; and Senators Constantine and King—

**CS for CS for SB 564**—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising provisions relating to the maintenance of and training requirements for the use of automated external defibrillators; revising provisions encouraging notice to the local emergency medical services medical director; amending s. 768.1325, F.S.; revising requirements for civil immunity for the use or attempted use of a defibrillator on a victim of a perceived medical emergency; providing an effective date.

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By the Committee on Environmental Preservation and Conservation; and Senator Bennett—

**CS for SB 660**—A bill to be entitled An act relating to the protection and restoration of seagrass beds; creating a pilot program for the restoration of seagrass beds within specified counties and related natural resources; providing definitions; providing legislative findings and purposes; requiring that damages recovered for injury to, and the destruction of, seagrass beds in certain counties and related natural resources be deposited into the Ecosystem Management and Restoration Trust Fund; requiring the Department of Environmental Protection to expend the funds for restoration, assessment, or rehabilitation of seagrass beds and natural resources; providing criteria governing such expenditures by the department; providing for auditing and reporting by a private recipient of funds; prohibiting any reduction of other appropriations to a state agency that receives funds under the act; requiring that the department report to the Legislature whether the pilot program should be expanded; authorizing rulemaking by the department; amending s. 253.04, F.S.; providing that careless operation of a vessel outside a marked channel which causes propeller scarring in an aquatic preserve is a civil infraction; defining the terms “propeller scarring” and “seagrasses”; providing that refusal to post bond or sign a boating citation is a second-degree misdemeanor; requiring that civil penalties collected for the careless operation of a vessel be deposited into the Internal

Improvement Trust Fund and used for specified purposes; amending s. 327.73, F.S.; providing civil penalties; amending s. 327.803, F.S.; increasing the number of members of the Boating Advisory Council; adding a representative of the recreational airboating community; amending s. 403.1651, F.S., relating to the Ecosystem Management and Restoration Trust Fund; conforming provisions to changes made by the act; providing effective dates.

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By the Committee on Environmental Preservation and Conservation; and Senators Bennett and Gaetz—

**CS for SB 758**—A bill to be entitled An act relating to inland navigation; amending s. 374.975, F.S.; providing that operation and maintenance of the Intracoastal Waterway and certain other public navigation channels by inland navigation districts is in the public interest; amending s. 374.976, F.S.; authorizing inland navigation districts to aid and cooperate with certain nonmember counties, certain seaports, and navigation districts in planning and carrying out certain projects concerning waterways; authorizing inland navigation districts to furnish assistance and support to seaports in planning and carrying out projects concerning waterway-related access; amending s. 374.977, F.S.; requiring that the Fish and Wildlife Conservation Commission assume certain responsibilities for posting and maintaining regulatory markers concerning manatee protection speed zones; allowing the commission to apply to inland navigation districts for funding to assist with this responsibility; amending s. 403.813, F.S.; removing provisions requiring the Secretary of Environmental Protection to adopt procedural rules for certain dredge and fill projects; revising requirements governing maintenance dredging by inland navigation districts and certain seaports; granting mixing zones; authorizing discharge of the return water from the site for the disposal of the dredged material under certain conditions; defining the term “manmade waters”; prohibiting the state from charging an inland navigation district or a public port authority for certain removed materials; authorizing the use of flocculants at a site for the disposal of dredged material under certain conditions; authorizing the Department of Environmental Protection to develop and maintain a list concerning the use of flocculants; providing that publication of the list is not a rule; authorizing the department to approve the use of a flocculant that is not on the list under specified conditions; providing an effective date.

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By the Committees on Finance and Tax; Regulated Industries; and Senator Geller—

**CS for CS for SB 970**—A bill to be entitled An act relating to slot machine revenues; amending s. 551.106, F.S.; revising the tax rate on slot machine revenues at pari-mutuel facilities; requiring certain licensees to pay a pro rata share of the shortfall in taxes paid on slot machine tax revenues under certain conditions; providing a percentage cap on the payment of taxes on slot machine revenues; providing for the expiration of the revised tax rate; providing a tax rate on certain Class III gaming on Indian reservations if commenced; providing a tax rate on video lottery terminals, electronic gaming, Class II or Class III gaming at pari-mutual facilities if authorized by the state; revising the dates for remitting payment of slot machine tax revenues; amending s. 551.116, F.S.; providing hours of operation for sales of alcoholic beverages in slot machine gaming areas; providing an effective date.

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By the Committee on Governmental Operations; and Senator Lawson—

**CS for SB 1034**—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; deleting a provision that prohibits the state from making a contribution toward the premium for coverage under the program for a retiree or surviving spouse; providing a declaration of important state interest; providing an effective date.

By the Committee on Community Affairs; and Senators Margolis, Posey and Fasano—

**CS for SB 1116**—A bill to be entitled An act relating to mortgage fraud; creating s. 193.133, F.S.; requiring law enforcement agencies to notify property appraisers of incidents of mortgage fraud; authorizing property appraisers to reconsider property assessments under certain circumstances; amending s. 817.545, F.S.; increasing penalties for certain types of mortgage fraud; providing an effective date.

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By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

**CS for SB 1152**—A bill to be entitled An act relating to child support enforcement; amending s. 61.14, F.S.; requiring payments on child support judgments to be applied first to the current child support due, then to the delinquent principal, and then to any interest on the judgment; amending s. 61.1824, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 328.42, F.S.; requiring the Department of Highway Safety and Motor Vehicles to cooperate with the Department of Revenue in establishing a method for disclosing owners of registered vessels to the Department of Revenue; authorizing the Department of Highway Safety and Motor Vehicles to suspend the operating privilege of vessel owners who are not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 409.2558, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 409.256, F.S.; requiring the correctional facility to assist a putative father in complying with an order to appear for genetic testing; clarifying that an administrative order for genetic testing has the same force and effect as a court order; amending s. 456.004, F.S.; requiring the Department of Health to cooperate with the Department of Revenue in establishing a method for disclosing health practitioner licensees to the Department of Revenue; authorizing the Department of Health to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 497.167, F.S.; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 559.79, F.S.; requiring the Department of Business and Professional Regulation to cooperate with the Department of Revenue in establishing a method for disclosing professional licensees to the Department of Revenue; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.21, F.S.; requiring the Department of Education to cooperate with the Department of Revenue in establishing a method for disclosing educators to the Department of Revenue; authorizing the Department of Education to suspend or deny the teaching certificate of a person who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.795, F.S.; requiring the Education Practices Commission to suspend or deny the educator certificate of a person who is not in compliance with orders relating to child support upon notice by the Department of Revenue; repealing s. 409.25645, F.S., relating to administrative orders for genetic testing; providing an effective date.

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By the Committee on Environmental Preservation and Conservation; and Senator Rich—

**CS for SB 1192**—A bill to be entitled An act relating to vessel safety; amending s. 327.39, F.S.; revising certain requirements for operating personal watercraft; amending s. 327.54, F.S.; revising the requirements relating to the boating safety course required for leasing or renting a personal watercraft from a livery; providing an effective date.

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By the Committee on Health Regulation; and Senator Jones—

**CS for SB 1374**—A bill to be entitled An act relating to home health care; amending s. 400.462, F.S.; revising and adding definitions; amending s. 400.464, F.S.; authorizing a home infusion therapy provider to be licensed as a nurse registry; deleting provisions related to Medicare

reimbursement; amending s. 400.471, F.S.; requiring an applicant for a home health agency license to submit to the Agency for Health Care Administration a business plan and evidence of contingency funding, and disclose other controlling ownership interests in health care entities; requiring certain standards in documentation demonstrating financial ability to operate; requiring an applicant for a new home health agency license to submit a surety bond or other security of a specified amount to the Agency for Health Care Administration; providing procedures for the agency with respect to making a claim against a surety bond or security; limiting the timing of receipt and the number of applications for a new home health agency license which the agency may accept each quarter; providing an exception under certain circumstances for a home health agency that is part of a retirement community; specifying a procedure for the agency to follow in selecting applications to process for a new home health agency license; providing for the future expiration of such provisions; prohibiting the agency from issuing an initial license to a home health agency licensure applicant located within 20 miles of a licensed home health agency that has common controlling interests; prohibiting the transfer of an application to another home health agency; requiring submission of an initial application to relocate a licensed home health to another geographic service area; imposing the burden of proof on an applicant to demonstrate that a factual determination made by the agency is not supported by a preponderance of the evidence; amending s. 400.474, F.S.; providing additional grounds under which the Agency for Health Care Administration may take disciplinary action against a home health agency; creating s. 400.476, F.S.; establishing staffing requirements for home health agencies; reducing the number of home health agencies that an administrator or director of nursing may serve; requiring that an alternate administrator be designated in writing; limiting the period that a home health agency that provides skilled nursing care may operate without a director of nursing; requiring notification upon the termination and replacement of a director of nursing; requiring the Agency for Health Care Administration to take administrative enforcement action against a home health agency for noncompliance with the notification and staffing requirements for a director of nursing; exempting a home health agency that provides only physical, occupational, or speech therapy from requirements related to a director of nursing; providing training requirements for certified nursing assistants and home health aides; amending s. 400.484, F.S.; requiring the agency to conduct the first unannounced survey of a newly licensed home health agency within a specified period after issuing the license; requiring that the agency impose administrative fines for certain deficiencies; increasing the administrative fines imposed for certain deficiencies; amending s. 400.488, F.S.; deleting provisions authorizing the administration of medication to home health patients by unlicensed staff; providing for the delegation of nursing tasks as provided in ch. 464, F.S., and related rules; amending s. 400.491, F.S.; extending the period that a home health agency must retain records of the nonskilled care it provides; amending s. 400.497, F.S.; requiring that the Agency for Health Care Administration adopt rules related to standards for the director of nursing of a home health agency, requirements for a director of nursing to submit certified staff activity logs pursuant to an agency request, and quality assurance programs; amending s. 400.506, F.S.; providing training requirements for certified nursing assistants and home health aides referred for contract by a nurse registry; providing for the denial, suspension, or revocation of nurse registry license and fines for paying remuneration to certain entities in exchange for patient referrals or refusing fair remuneration in exchange for patient referrals; amending s. 400.518, F.S.; providing for a fine to be imposed against a home health agency that provides complimentary staffing to an assisted care community in exchange for patient referrals; amending s. 409.906, F.S.; requiring durable medical equipment providers enrolled in the Medicaid program to be accredited and have a physical business location that meets specified conditions; providing for exceptions of certain business location criteria; requiring a durable medical equipment provider enrolled in the Medicaid program to obtain a surety bond of a specified amount and for certain staff to undergo background screening; providing for exemptions from accreditation and the surety bond for specified durable medical equipment providers; requiring the Agency for Health Care Administration to review the process for prior authorization of home health agency visits and determine whether modifications to the process are necessary; requiring the agency to report to the Legislature on the feasibility of accessing the Medicare system to determine recipient eligibility for home health services; providing an effective date.

By the Committee on Communications and Public Utilities; and Senators Dean and Lynn—

**CS for SB 1384**—A bill to be entitled An act relating to the theft of copper or other nonferrous metals; creating s. 812.145, F.S.; providing definitions; providing that it is a felony of the first degree to knowingly and intentionally take copper or other nonferrous metal from a utility or communications services provider, thereby causing damage to the facilities of a utility or communications services provider or interrupting or interfering with utility or communications services; providing criminal penalties; providing an effective date.

By the Committees on Agriculture; and Agriculture—

**CS for SB 1630**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 500.148, F.S.; revising an exemption from the public-records law provided for certain information provided to the Department of Agriculture and Consumer Services under its regulatory authority; saving the exemption from repeal under the Open Government Sunset Review Act; deleting the provision providing for repeal of the exemption; providing an effective date.

By the Committees on Education Pre-K - 12; and Education Pre-K - 12—

**CS for SB 1652**—A bill to be entitled An act relating to charter schools; amending ss. 11.45, 218.50, and 218.501, F.S., relating to audit reports by the Auditor General; conforming provisions related to changes in the entities subject to a state of financial emergency; amending ss. 218.503 and 218.504, F.S.; providing that charter technical career centers are subject to certain requirements in the event of a financial emergency; requiring that the sponsor be notified of certain conditions; providing for the development of a financial recovery plan, which may be approved by the Commissioner of Education; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms to be used by charter school applicants and sponsors; requiring applicant training and documentation; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charters schools to disclose the identity of relatives of charter school personnel; providing for a limitation on funding; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct specified in ss. 112.313 and 112.3143, F.S.; amending s. 1002.335, F.S.; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing for challenges to the exclusivity of district school boards; providing a presumption for district school boards that are granted exclusivity; providing for informal hearings; specifying additional components of cosponsor agreements; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; requiring that an applicant participate in the training; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing bodies, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Carlton—

**CS for SB 1712**—A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school

funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain additional offenses that constitute a breach of the public trust; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who has committed certain felony offenses against a minor; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to certain employment-screening tools; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; providing that a district school board official who knowingly signs or transmits a false report, fails to support policies that ensure the investigation of reports, or fails to report allegations of misconduct by instructional personnel forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent or district school board member forfeits his or her salary for a specified period following failure to report allegations of misconduct by instructional personnel; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and lab schools; conforming cross-references; amending s. 1002.33, F.S.; requiring charter schools to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring the school to contact the prior employer and assess a candidate's ability to meet ethical standards; requiring the school to notify the Department of Education of dates of employment for instructional personnel; requiring the charter school sponsor to suspend the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of educators; amending ss. 1002.421 and 1002.55, F.S.; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional candidate for employment and notify the Department of Education of dates of employment of an educator; amending ss. 1002.61, 1002.63, 1002.65, 1003.413, 1003.53, and 1004.92, F.S., relating to prekindergarten programs and instructors, the Florida Secondary School Redesign Act, dropout prevention, and career education; conforming cross-references; amending s. 1006.061, F.S.; requiring each district school board to post its policies and procedures for reporting misconduct by instructional personnel and the penalties imposed for failing to report suspected or actual child abuse; amending ss. 1007.21, 1007.23, 1008.33, 1008.345, 1010.215, and 1011.18, F.S., relating to readiness for postsecondary education and the workplace, the statewide articulation agreement, public school improvement and educator accountability, funding accountability, and school depositories; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer of each instructional candidate for employment, screen the candidate, and document findings; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional personnel from employment in positions involving direct contact with students; amending s. 1012.32, F.S.; providing that instructional personnel who have been convicted of certain offenses are disqualified from employment in positions having direct contact with students; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or the commission of a criminal act; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising the requirements for conducting state and national criminal history records checks of persons seeking certification; providing for the Department of Education to maintain personnel records on an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of the panel appointed to review complaints against teachers; amending s. 1012.795, F.S.; providing for suspending the educator certificate of a person who knowingly fails to report child abuse or suspected or actual misconduct by instructional personnel; amending s. 1012.796, F.S.; requiring that the Department of Education investigate each complaint involving misconduct by instructional

personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for adopted school board policies and procedures; providing that the district school superintendent is accountable for communicating standards, policies, and procedures to district employees; requiring that an employee be immediately suspended and reassigned upon an allegation of misconduct affecting the health, safety, or welfare of a student; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the department and Board of Governors; conforming cross-references; providing an effective date.

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By the Committee on Education Pre-K - 12; and Senators Carlton, Wilson and Bullard—

**CS for SJR 2308**—A joint resolution proposing amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX and creating a new section in Article XII of the State Constitution to create the position of Commissioner of Education as an elected member of the Cabinet, to revise the membership of the State Board of Education, which shall consist of the Governor and the Cabinet, and to revise the membership, terms, and duties of the local boards of trustees and the Board of Governors of the State University System.

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#### REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Judiciary; Education Pre-K - 12; and Senator Wise—

**CS for CS for SB 242**—A bill to be entitled An act relating to education; amending s. 1000.05, F.S.; providing that students may be separated by gender for specified single-gender programs; amending s. 1002.20, F.S.; providing that options for public school choice may include single-gender programs; creating s. 1002.311, F.S.; authorizing district school boards to establish a nonvocational class, extracurricular activity, or school in which enrollment is limited to students of a single gender; providing conditions for such authorization; requiring that students' participation in single-gender programs be voluntary; requiring evaluation of single-gender programs every 2 years; providing an effective date.

—was placed on the calendar.

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By the Committee on Agriculture; and Senator Constantine—

**CS for SB 310**—A bill to be entitled An act relating to biomass energy production; amending s. 212.08, F.S.; revising the definition of "ethanol"; increasing the limit on the amount of taxes that are exempt for the sale or use of materials used to distribute biodiesel and ethanol; limiting the tax exemption to certain end users; providing that such exemption is limited to one purchase of an eligible item; amending s. 220.192, F.S.; providing for transfer of the renewable energy technologies investment tax credit; providing requirements for such transfer; requiring that the tax credit be passed through to certain taxpayers; authorizing the Department of Revenue to adopt rules regarding the transfer and pass through of such tax credit; amending s. 220.193, F.S.; defining the term "sale" or "sold"; providing that the use of the renewable energy production credit does not reduce the alternative minimum tax credit; creating s. 570.956, F.S.; providing definitions; continuing the Farm-to-Fuel Grants Program within the Department of Agriculture and Consumer Services; providing that matching grants be made available for certain bioenergy projects; requiring the department to adopt rules; providing certain factors for consideration in awarding grants; requiring the department to consult with certain agencies and persons; creating s. 570.958, F.S.; creating the Biofuel Retail Sales Incentive Program; providing a purpose; providing that the petroleum consumption be reduced by certain percentages over a specified period; providing definitions; providing an incentive payment to certain retail dealers who sell biofuel after a certain date; requiring the Department of Agriculture and Consumer Services to develop an application form to claim the incentive; requiring that the application contain certain information; requiring the department to determine the amount of the incentive; requiring the department to prorate the amount of incentives paid to an applicant under certain circumstances; authorizing the department to adopt rules;

creating s. 570.959, F.S.; creating the Florida Biofuel Production Incentive Program within the department; providing a purpose; providing definitions; requiring persons engaged in biofuel production to meet certain requirements to receive an economic incentive; providing the criteria for distributing the incentive, subject to appropriation; requiring the department to prorate the amount of incentives to an applicant under certain circumstances; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; Finance and Tax; and General Government Appropriations.

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By the Committee on Governmental Operations; and Senator Constantine—

**CS for SB 316**—A bill to be entitled An act relating to energy use; amending s. 255.251, F.S.; revising a short title; amending s. 255.252, F.S.; revising criteria for energy conservation and sustainability for state-owned buildings; requiring buildings constructed and financed by the state to meet certain environmental standards approved by the Department of Management Services; requiring state agencies to identify state-owned buildings that are suitable for guaranteed energy performance savings contracts; providing requirements and procedures therefor; requiring the Department of Management Services to evaluate identified facilities and develop an energy efficiency project schedule; providing criteria for such schedule; establishing standards for the purchase of biodiesel diesel fuel for use in state-owned diesel vehicles and equipment; amending s. 255.253, F.S.; defining the terms “sustainable building” and “sustainable building rating”; amending s. 255.254, F.S.; revising provisions relating to the analysis of the life-cycle costs of state facilities; requiring an energy performance analysis of leased facilities; amending s. 255.255, F.S.; revising energy conservation performance guidelines to be used in life-cycle cost analyses; amending s. 287.063, F.S.; prohibiting the term of payment for consolidated equipment finance contracts from extending beyond the anticipated useful life of the equipment financed; deleting the requirement that the Chief Financial Officer establish criteria that prohibits a state agency from obligating an annualized amount of payments for certain deferred payment purchases; amending s. 287.064, F.S.; extending the period of time allowed for the repayment of funds for certain purchases relating to energy conservation measures; requiring guaranteed energy performance savings contractors to provide for the replacement or the extension of the useful life of the equipment during the term of a contract; amending s. 287.16, F.S.; providing additional duties for the Department of Management Services relating to the energy efficiency of state vehicles; creating s. 377.907, F.S.; requiring the Florida Energy Commission to develop Lead-by-Example initiatives to help defray energy costs and to develop recommendations to promote energy efficiency and clean energy technologies; requiring a report to the Legislature by December 31, 2009, and periodically thereafter; amending s. 489.145, F.S.; revising provisions relating to guaranteed energy performance savings contracting by state agencies to address energy-related operational savings; revising definitions; revising criteria for proposed contracts; specifying documentation that must be submitted for contract review by the Chief Financial Officer; creating s. 1013.441, F.S.; establishing the Green Schools Pilot Project; providing Legislative intent; providing for the selection of three school districts by the State Board of Education; providing for the payment of additional costs associated with meeting specified building construction standards that maximize energy efficiency and minimize adverse environmental effects; providing for the distribution of funding for the project; providing for a report to the Legislature and the Commissioner of Education; establishing standards for the purchase of ethanol for use in state-owned flex-fuel vehicles; providing for administration by the Department of Management Services; requiring that the department annually report to the Legislature the extent of biodiesel and ethanol use in state-owned vehicles; establishing standards for the purchase of biodiesel fuel by school district transportation services; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Education Pre-K - 12 Appropriations; and General Government Appropriations.

By the Committees on Judiciary; Health Regulation; and Senators Constantine and King—

**CS for CS for SB 564**—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising provisions relating to the maintenance of and training requirements for the use of automated external defibrillators; revising provisions encouraging notice to the local emergency medical services medical director; amending s. 768.1325, F.S.; revising requirements for civil immunity for the use or attempted use of a defibrillator on a victim of a perceived medical emergency; providing an effective date.

—was placed on the calendar.

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By the Committee on Transportation; and Senators Fasano, Posey, Wise, Lawson, Baker, Gaetz, Oelrich, Alexander, Ring and Margolis—

**CS for SB 920**—A bill to be entitled An act relating to driver's license fees; amending s. 318.15, F.S.; increasing the nonrefundable service charge paid to the Department of Highway Safety and Motor Vehicles or to the clerk of the court to reinstate a suspended driver's license and privilege to drive; requiring that the deposited funds be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director of the Division of the Florida Highway Patrol to structure a salary scale for highway patrol officers to remain competitive with other law enforcement agencies; amending s. 318.18, F.S.; increasing the civil penalty a person must pay for a late payment of civil traffic penalties; requiring that a specified amount of the collected penalty be used to establish a recruitment retention salary plan for officers of the highway patrol; amending s. 320.07, F.S.; increasing the delinquency fee for late payment of vehicle registration renewal; requiring that specified deposited funds be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director to use the delinquency fees for a salary scale for highway patrol officers which is competitive with other law enforcement agencies; amending s. 322.21, F.S.; increasing the fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; requiring that the fees collected from reinstating a suspended or revoked driver's license be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director to use the license reinstating fees for a salary scale for highway patrol officers which is competitive with other law enforcement agencies; amending s. 322.29, F.S., relating to the surrender and return of a license; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Governmental Operations; Finance and Tax; Transportation and Economic Development Appropriations; and General Government Appropriations.

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By the Committees on Finance and Tax; Regulated Industries; and Senator Geller—

**CS for CS for SB 970**—A bill to be entitled An act relating to slot machine revenues; amending s. 551.106, F.S.; revising the tax rate on slot machine revenues at pari-mutuel facilities; requiring certain licensees to pay a pro rata share of the shortfall in taxes paid on slot machine tax revenues under certain conditions; providing a percentage cap on the payment of taxes on slot machine revenues; providing for the expiration of the revised tax rate; providing a tax rate on certain Class III gaming on Indian reservations if commenced; providing a tax rate on video lottery terminals, electronic gaming, Class II or Class III gaming at pari-mutual facilities if authorized by the state; revising the dates for remitting payment of slot machine tax revenues; amending s. 551.116, F.S.; providing hours of operation for sales of alcoholic beverages in slot machine gaming areas; providing an effective date.

—was placed on the calendar.

By the Committee on Banking and Insurance; and Senators Gaetz, Baker, Fasano, Posey, Oelrich and Bennett—

**CS for SB 1012**—A bill to be entitled An act relating to health insurance; amending s. 627.638, F.S.; authorizing the payment of health insurance policy benefits directly to a licensed ambulance provider; requiring the attestation assigning benefits to be in writing but allowing it to be transmitted in electronic form; creating s. 627.64731, F.S.; providing requirements for the rent, lease, or granting of access to the health care services of a preferred provider or exclusive provider under a health care contract; amending s. 627.662, F.S.; applying the requirements for the rent, lease, or granting of access to the health care services of a preferred provider or exclusive provider under a health care contract to group health insurance, blanket health insurance, and franchise health insurance policies; amending s. 641.31; providing that a health maintenance contract may not prohibit and a claims form must provide an option for direct payment to specified providers; requiring the attestation of assignment of benefits to be in written or electronic form; providing that payment to a provider may not exceed the amount a health maintenance organization would have paid without the assignment; amending s. 641.315, F.S.; prohibiting health maintenance organizations from selling, leasing, or transferring contract payment terms relating to a health care practitioner under certain circumstances; amending s. 641.3155, F.S.; decreasing the amount of time in which a health maintenance organization may make a claim for overpayment against a provider; providing applicability; providing an effective date.

—was referred to the Committees on Commerce; Health Regulation; Health Policy; and General Government Appropriations.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

**CS for SB 1152**—A bill to be entitled An act relating to child support enforcement; amending s. 61.14, F.S.; requiring payments on child support judgments to be applied first to the current child support due, then to the delinquent principal, and then to any interest on the judgment; amending s. 61.1824, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 328.42, F.S.; requiring the Department of Highway Safety and Motor Vehicles to cooperate with the Department of Revenue in establishing a method for disclosing owners of registered vessels to the Department of Revenue; authorizing the Department of Highway Safety and Motor Vehicles to suspend the operating privilege of vessel owners who are not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 409.2558, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 409.256, F.S.; requiring the correctional facility to assist a putative father in complying with an order to appear for genetic testing; clarifying

that an administrative order for genetic testing has the same force and effect as a court order; amending s. 456.004, F.S.; requiring the Department of Health to cooperate with the Department of Revenue in establishing a method for disclosing health practitioner licensees to the Department of Revenue; authorizing the Department of Health to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 497.167, F.S.; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 559.79, F.S.; requiring the Department of Business and Professional Regulation to cooperate with the Department of Revenue in establishing a method for disclosing professional licensees to the Department of Revenue; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.21, F.S.; requiring the Department of Education to cooperate with the Department of Revenue in establishing a method for disclosing educators to the Department of Revenue; authorizing the Department of Education to suspend or deny the teaching certificate of a person who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.795, F.S.; requiring the Education Practices Commission to suspend or deny the educator certificate of a person who is not in compliance with orders relating to child support upon notice by the Department of Revenue; repealing s. 409.25645, F.S., relating to administrative orders for genetic testing; providing an effective date.

—was referred to the Committees on Judiciary; and General Government Appropriations.

**SENATE PAGES**

March 10-14, 2008

Joseph “Joe” Alexionok II, Tallahassee; Kelsey Anderson, Sarasota; Holly E. Brooks, Tallahassee; Matthew Carnley, Milton; Clarke Carson, Montgomery, AL; William “Billy” Carson, Montgomery, AL; Samantha Costas, Tallahassee; Gretta Determann, Tallahassee; Alexandria G. Hall, Monticello; Hali C. Harden, Wewahitchka; Shemekia Highman, Quincy; Meleah Lister, Wewahitchka; Keith G. McCall, Brooksville; Stephen C. McCall, Brooksville; Cynthia “Cyndi” Milum, Niceville; Jamaal Randolph, Tallahassee; Terri Scott, Sneads; Tyler Smith, Havana; Jasmine D. White, Sneads; Gayla J. Williamson, Wewahitchka

**CO-INTRODUCERS**

Senators Lynn—SB 688, SB 748; Villalobos—CS for SB 508; Wilson—SCR 362