



Journal of the Senate

Number 18—Regular Session

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:16 a.m.
A quorum present—38:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Excused: Senator Bullard

PRAYER

The following prayer was offered by Rabbi Schneur Z. Oirechman, Director of Chabad Lubavitch of the Panhandle, Tallahassee:

Almighty God, King of the universe, as the honorable members of the Florida Senate gather here today to serve the citizens of this great state, to ensure a better life for them and their families, bless them with courage, with faith, and with freedom.

As we have just concluded the Jewish holiday of Passover, when we celebrated the exodus and freedom, let us remember the ancient message of Passover—the message of hope amidst deepest darkness. Almighty God, bless us with the courage of the Jews of old, who clung to faith even when their children perished before their eyes, a faith that led to their freedom.

Almighty God, we pray today for that same courage and faith, that the public and the public servant alike may see the light of economic freedom.

We pray for the needy among us. We pray for a better economy. We pray for the future of our state. We pray for a time of redemption—a time of no sickness, no suffering, and no evil, and a time of eternal good.

Almighty God, bless us with the courage to try, the faith to believe, and the freedom to prosper. Let us build a better and brighter future for our Sunshine State. Let us pass over our limits to reach greater heights. Almighty God, let our public servants be inspired and empowered to overcome all challenges. May the sacrifices they and their families make for the community find favor in your eyes.

May in their lives be fulfilled the prayer: “All those who faithfully work for the needs of the community, may God reward them and relieve them of any illness, heal their entire bodies, pardon all their sins and send blessing and success in all their endeavors,” and let us say, Amen.

PLEDGE

Senate Pages Chase Lowery of Havana; Adriana Perez-Siam of Miami; Alexander “Alex” Tate of Venice; Anne “Annie” Pucciarelli of Brandon; and Angel Brenkman of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Walter B. Flesner III of Cape Coral, sponsored by Senator Fasano, as doctor of the day. Dr. Flesner specializes in Family Practice.

ADOPTION OF RESOLUTIONS

On motion by Senator Braynon—

By Senator Braynon—

SR 2198—A resolution recognizing April 16-22, 2011, as “Minority Cancer Awareness Week” in Florida.

WHEREAS, there has been recent progress in the fight against cancer, yet due to disparities in the cancer burden among different segments of the U.S. population, many Floridians still suffer unequal rates of cancer incidence and mortality, and medically underserved populations have inadequate access to quality cancer care, and

WHEREAS, for certain minority populations, cancer risks and rates may be influenced by factors such as poverty, social inequalities, and cultural or inherited factors that decrease or increase risk, and

WHEREAS, disparities in the cancer burden among racial and ethnic minorities largely reflect obstacles to receiving health care services related to cancer prevention, early detection, and high-quality treatment, and

WHEREAS, lack of health insurance is more prevalent among certain minority groups, with 1 in 5 African Americans and 1 in 3 Hispanics and Latinos uninsured in 2008, while only 1 in 10 non-Hispanic whites lacked health insurance during that same year, and

WHEREAS, African Americans have the highest death rate and shortest survival of any racial and ethnic group in the nation for most cancers, with the death rate for all cancers combined at 33 percent higher in African American men and 16 percent higher in African American women than in white men and women in 2005, and

WHEREAS, despite improvements in the overall 5-year relative survival, African Americans continue to be less likely to survive 5 years following the onset of most cancers due largely to barriers that prevent timely and high-quality medical care and disparities in treatment, and

WHEREAS, Hispanics and Latinos are the largest, fastest-growing minority group in the United States, and among Hispanics, cancer is the second leading cause of death, accounting for 20 percent of deaths overall and 13 percent of deaths in children, and

WHEREAS, Hispanics have higher rates of cancers associated with infection, such as uterine cervix, liver, and stomach cancer, yet are less likely to have health insurance than any other racial or ethnic group, and

WHEREAS, access to care is one of the most significant factors influencing the cancer burden in the Hispanic population, and many may not receive health care due to financial barriers, which include inadequate health insurance, structural barriers, which include poor geographic access to providers, and personal barriers, which include cultural and linguistic factors, and

WHEREAS, minority cancer awareness initiatives and policies aimed at reducing disparities, such as those promoted and supported by the American Cancer Society and Florida's recognition of the nationally observed Minority Cancer Awareness Week, will encourage efforts to reduce ethnic, racial, and socioeconomic cancer disparities, NOW, THEREFORE,

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

That April 16-22, 2011, is recognized as "Minority Cancer Awareness Week" in Florida.

BE IT FURTHER RESOLVED that all Floridians are urged to support the efforts of cancer education providers, such as the American Cancer Society, to increase awareness of the disparities that minority populations face in the fight against cancer, and to support policies that seek to reduce disparities, such as the Mary Brogan Breast and Cervical Cancer Early Detection Program and Minority Health Initiatives within the Florida Department of Health.

—was introduced out of order and read by title. On motion by Senator Braynon, **SR 2198** was read the second time in full and adopted.

On motion by Senator Braynon—

By Senator Braynon—

SR 2200—A resolution recognizing the selfless humanitarian efforts of Barth A. Green, M.D., the University of Miami's Global Institute for Community Health and Development, and Project Medishare in providing medical care to the people of Haiti.

WHEREAS, in 1994, Barth A. Green, M.D., cofounded Project Medishare for Haiti in order to help improve the health status of Haitians through an integrated, community approach to development, serving more than 85,000 Haitians before the disastrous 2010 earthquake, and

WHEREAS, Barth A. Green, M.D., is also a cofounder of the University of Miami's Global Institute for Community Health and Development, a program focused on improving health care and advancing community development in the Western Hemisphere, and

WHEREAS, in response to the 2010 earthquake in Haiti, Barth A. Green, M.D., and his colleagues at the University of Miami's Global Institute for Community Health and Development and Project Medishare established a massive relief effort, and

WHEREAS, as part of that initiative, the University of Miami's Global Institute/Project Medishare field hospital opened in Haiti, treating more than 30,000 patients and performing more than 1,500 emergency surgeries, and

WHEREAS, more than 5,000 rotating medical volunteers from around the world served at the field hospital, which was the only referral center for severe critical care and trauma cases in Haiti, and

WHEREAS, 45,000 more patients have been treated since the field hospital relocated to community Hospital Bernard Mevs in downtown Port-au-Prince and began collaborating with the Haitian-run facility, and

WHEREAS, Barth A. Green, M.D., and his colleagues at the University of Miami's Global Institute for Community Health and Development and Project Medishare have been instrumental in increasing access to health care internationally, NOW, THEREFORE,

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

That the members of the Senate recognize the selfless humanitarian efforts of Barth A. Green, M.D., and his colleagues at the University of Miami's Global Institute for Community Health and Development and Project Medishare in providing medical care to the people of Haiti both before and after the disastrous 2010 earthquake.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Barth A. Green, M.D., as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Braynon, **SR 2200** was read the second time in full and adopted.

At the request of Senator Rich—

By Senator Rich—

SR 2194—A resolution recognizing September 2011 as "Plasma Protein Therapies Month" in Florida.

WHEREAS, patients who have rare, chronic, and genetic diseases and disorders across the United States rely upon access to plasma-derived and recombinant analog therapies, known collectively as plasma protein therapies, to treat life-threatening conditions, and

WHEREAS, these disorders, including, but not limited to, hemophilia, von Willebrand disease, primary immunodeficiency diseases, chronic inflammatory demyelinating polyneuropathy, Kawasaki disease, and alpha-1 antitrypsin deficiency are most effectively treated with plasma protein therapies, and

WHEREAS, individuals afflicted with these rare disorders require access to the full range of plasma protein therapies to help ensure the best possible clinical outcomes, and

WHEREAS, these individuals benefit from access to appropriate providers and options in pharmaceuticals and the delivery of home-supported services, and access to comprehensive care has been shown to markedly improve patient outcomes, and

WHEREAS, there are 18 plasma collection centers in this state certified under the International Quality Plasma Program where healthy, committed donors provide plasma that is used to manufacture high-impact, life-saving therapies, NOW, THEREFORE,

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

That September 2011 is recognized as "Plasma Protein Therapies Month" in Florida.

—**SR 2194** was introduced, read and adopted by publication.

At the request of Senator Rich—

By Senator Rich—

SR 2208—A resolution congratulating Homestead Hospital for continuing the tradition of high-quality, compassionate care the community has come to know, and expressing appreciation to Chief Executive Officer Bill Duquette for his inspiring leadership.

WHEREAS, in 1940, a group of citizens in the City of Homestead hosted two potluck fish fry events and raised almost \$12,000 to develop a hospital in Homestead, and

WHEREAS, in May 2007, a new, \$135 million, state-of-the-art, full-service, 142-bed facility opened its doors to the public, ushering in a new era for Homestead Hospital and celebrating its emergence as one of the largest employers in south Miami-Dade County, with nearly 1,200 employees, and

WHEREAS, Homestead Hospital's medical staff is made up of more than 400 physicians representing more than 30 specialties, ranging from cardiology and gastroenterology to neurology and urology, and

WHEREAS, Homestead Hospital is a part of Baptist Health South Florida, the largest faith-based, not-for-profit health care organization in the region, NOW, THEREFORE,

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

That the members of the Senate congratulate Homestead Hospital for continuing the tradition of high-quality, compassionate care and express appreciation to Chief Executive Officer Bill Duquette for his inspiring leadership.

—**SR 2208** was introduced, read and adopted by publication.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 818** was deferred.

CS for SB 844—A bill to be entitled An act relating to violations of probation or community control; creating the “Officer Andrew Widman Act”; amending s. 948.06, F.S.; authorizing a judge, after making a certain finding, to issue a warrant for the arrest of a probationer or offender who has violated the terms of probation or community control; requiring that the court inform the probationer or offender of the violation; authorizing the court to order the person taken before the court that granted the probation or community control; authorizing the court to commit or release the probationer or offender under certain circumstances; authorizing the court, in determining whether to require or set the amount of bail, to consider the likelihood that the person will be imprisoned for the violation of probation or community control; providing an effective date.

—as amended April 28 was read the third time by title.

On motion by Senator Benacquisto, **CS for SB 844** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Yea—Sobel

CS for CS for SB 1346—A bill to be entitled An act relating to obsolete references and programs; amending s. 14.2015, F.S.; removing an obsolete reference to the Department of Commerce; amending s. 20.18, F.S.; updating a reference to the Department of Commerce to refer instead to the Office of Tourism, Trade, and Economic Development; amending s. 45.031, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 69.041, F.S.; removing an obsolete reference to the Department of Labor and Employment Security; amending s. 112.044, F.S.; removing obsolete references to the Department of Labor and Employment Security; amending s. 252.85, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 252.87, F.S.; removing a reference to

the Department of Labor and Employment Security; amending s. 252.937, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 287.09431, F.S.; updating references to the Department of Labor and Employment Security; amending s. 287.09451, F.S.; removing references to the Department of Labor and Employment Security; amending s. 287.0947, F.S.; removing a reference to the Department of Labor and Employment Security; correcting a cross-reference; amending s. 288.021, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 288.035, F.S.; removing a reference to the Department of Commerce; repealing s. 288.038, F.S., relating to agreements of the Department of Labor and Employment Security with county tax collectors; amending s. 288.1168, F.S.; updating obsolete references to the Department of Commerce; amending s. 288.1229, F.S.; removing a reference to the Department of Commerce; amending s. 288.1169, F.S.; updating references to the Department of Commerce; amending s. 331.369, F.S.; updating references to the Workforce Development Board of Enterprise Florida, Inc.; amending s. 377.711, F.S.; removing a reference to the Department of Commerce; providing for standard compact provisions regarding recommendations by the Southern States Energy Board; amending s. 377.712, F.S.; clarifying provisions governing participation in the compact by the state and its agencies; amending s. 409.2576, F.S.; removing references to the Department of Labor and Employment Security; amending s. 414.24, F.S.; updating references to the Department of Labor and Employment Security; amending s. 414.40, F.S.; updating provisions governing the Stop Inmate Fraud Program; updating a reference to the Department of Labor and Employment Security; amending s. 440.385, F.S.; updating a reference to the Department of Labor and Employment Security; removing obsolete provisions; amending s. 440.49, F.S.; removing a reference to the Department of Labor and Employment Security; removing obsolete provisions; repealing s. 446.60, F.S., relating to assistance for displaced local exchange telecommunications company workers; amending s. 450.161, F.S.; updating a reference to the Division of Jobs and Benefits; amending s. 464.203, F.S.; updating a reference to the Enterprise Florida Jobs and Education Partnership Grant; amending s. 489.1455, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 489.5335, F.S.; updating a reference to the Department of Labor and Employment Security; amending s. 553.62, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 597.006, F.S.; removing a reference to the Department of Labor and Employment Security; amending s. 944.012, F.S.; updating a reference to the Florida State Employment Service; amending s. 944.708, F.S.; removing a reference to the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., relating to the asbestos management program; amending s. 469.002, F.S.; conforming a cross-reference to changes made by the act; repealing s. 469.003(2)(b), F.S., relating to obsolete provisions governing the licensure of asbestos surveyors; repealing s. 39.0015, F.S., relating to child abuse prevention training in the district school system; repealing s. 39.305, F.S., relating to the development by the Department of Children and Family Services of a model plan for community intervention and treatment in intrafamily sexual abuse cases; repealing ss. 39.311, 39.312, 39.313, 39.314, 39.315, 39.316, 39.317, and 39.318, F.S., relating to the Family Builders Program; repealing s. 39.816, F.S., relating to authorization for pilot and demonstration projects; repealing s. 39.817, F.S., relating to a foster care privatization demonstration project; repealing s. 383.0115, F.S., relating to the Commission on Marriage and Family Support Initiatives; repealing s. 393.22, F.S., relating to financial commitment to community services programs; repealing s. 393.503, F.S., relating to respite and family care subsidy expenditures and funding recommendations; repealing s. 394.922, F.S., relating to constitutional requirements regarding long-term control, care, and treatment of sexually violent predators; repealing s. 402.3045, F.S., relating to a requirement that the Department of Children and Family Services adopt distinguishable definitions of child care programs by rule; repealing s. 402.50, F.S., relating to the development of administrative infrastructure standards by the Department of Children and Family Services; repealing s. 402.55, F.S., relating to the management fellows program; repealing s. 409.1672, F.S., relating to performance incentives for department employees with respect to the child welfare system; repealing s. 409.1673, F.S., relating to legislative findings regarding the foster care system and the development of alternate care plans; repealing s. 409.1685, F.S., relating to an annual report to the Legislature by the Department of Children and Family Services with respect to children in foster care; repealing ss. 409.801 and 409.802, F.S., relating to the Fa-

mily Policy Act; repealing s. 409.803, F.S., relating to pilot programs to provide shelter and foster care services to dependent children; amending ss. 20.195, 39.00145, 39.0121, 39.301, 39.3031, 49.011, 381.006, 381.0072, 390.01114, 409.1685, 411.01013, 753.03, and 877.22, F.S.; conforming references to changes made by the act; repealing s. 288.386, F.S., relating to the Florida-Caribbean Basin Trade Initiative; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records requirement for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 409.946, F.S., which relates to the Inner City Redevelopment Review Panel; amending ss. 288.012 and 311.07, F.S.; revising requirements for the operating plans of the state's foreign offices and the use of program funds of the Florida Seaport Transportation and Economic Development Program, to delete provisions relating to the Florida Trade Data Center; amending s. 402.35, F.S.; removing a provision prohibiting a federal, state, county, or municipal officer from serving as an employee of the Department of Children and Family Services; providing an effective date.

—as amended April 28 was read the third time by title.

On motion by Senator Detert, **CS for CS for SB 1346** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Yea—Sobel

CS for CS for SB 1196—A bill to be entitled An act relating to construction liens; amending s. 713.10, F.S.; specifying that a lessor's interest in property is not subject to a construction lien for improvements made by a lessee if certain documents containing specific information and meeting certain criteria are recorded in the official records of the county before the recording of a notice of commencement; authorizing certain contractors and lienors to demand that a lessor serve verified copies of a lease prohibiting liability for improvements made by a lessee; subjecting the interest of a lessor to a specified lien for failing to serve such verified copies or serving a false or fraudulent copy; requiring that the demand include a specified warning; amending s. 713.13, F.S.; revising the form for notice of commencement to include information relating to the obligations of a lessee who contracts for improvements to property; providing an effective date.

—was read the third time by title.

Senator Bogdanoff moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (594168)—Delete line 84 and insert: *contractor or lienor has otherwise complied with this*

On motion by Senator Bogdanoff, **CS for CS for SB 1196** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

Vote after roll call:

Yea—Sobel

Consideration of **CS for HJR 7111** was deferred.

SPECIAL ORDER CALENDAR

On motion by Senator Gaetz—

CS for CS for CS for SB 88—A bill to be entitled An act relating to public employee compensation; amending s. 215.425, F.S.; revising provisions relating to the prohibition against the payment of extra compensation; providing for bonuses; specifying the conditions for paying bonuses; prohibiting provisions in contracts that provide for severance pay; allowing for severance pay under specified circumstances; defining the term “severance pay”; prohibiting a contract provision that provides for extra compensation to limit the ability to discuss the contract; amending s. 166.021, F.S.; deleting a provision that allows a municipality to pay extra compensation; amending s. 112.061, F.S.; conforming cross-references; repealing s. 125.01(1)(bb), F.S., relating to the power of a local government to pay extra compensation; repealing s. 373.0795, F.S., relating to a prohibition against severance pay for officers or employees of water management districts; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Gaetz, by the required two-thirds vote, consideration of the following amendments was allowed:

Senator Gaetz moved the following amendments which were adopted:

Amendment 1 (715568) (with title amendment)—Delete lines 59-77 and insert:

(4)(a) *On or after July 1, 2011, a unit of government that enters into a contract or employment agreement, or the renewal or renegotiation of an existing contract or employment agreement, which contains a provision for severance pay with an officer, agent, employee, or contractor, must include the following provisions in the contract:*

1. *A requirement that severance pay provided may not exceed an amount greater than 6 weeks of compensation.*

2. *A prohibition against the provision of severance pay if the officer, agent, employee, or contractor has been fired for misconduct, as defined in s. 443.036, or for other cause by the unit of government.*

(b) *On or after July 1, 2011, an officer, agent, employee, or contractor may receive severance pay not provided for in a contract or employment agreement if the severance pay represents the settlement of an employment dispute. Such severance pay may not exceed an amount greater than 6 weeks of compensation. The settlement may not include provisions that limit the ability of any party to the settlement to discuss the dispute or settlement.*

And the title is amended as follows:

Delete lines 6-9 and insert: the conditions for paying bonuses; requiring contracts that provide for severance pay to include certain provisions after a certain date; allowing for severance pay under specified circumstances; defining the term "severance pay";

Amendment 2 (230884)—Delete lines 39-49 and insert:

~~(2) The provisions of This section does do not apply to extra compensation given to state employees who are included within the senior management group pursuant to rules adopted by the Department of Management Services; to extra compensation given to county, municipal, or special district employees pursuant to policies adopted by county or municipal ordinances or resolutions of governing boards of special districts or to employees of the clerk of the circuit court pursuant to written policy of the clerk; or to a clothing and maintenance allowance given to plainclothes deputies pursuant to s. 30.49.~~

Pursuant to Rule 4.19, **CS for CS for CS for SB 88** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 178** and **CS for CS for SB 274** was deferred.

CS for CS for SB 296—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term "storage"; amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing for retroactive application; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 296**, on motion by Senator Wise, by two-thirds vote **CS for HB 901** was withdrawn from the Committees on Commerce and Tourism; Community Affairs; and Budget.

On motion by Senator Wise—

CS for HB 901—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term "storage"; amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 296** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 901** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 306** and **SB 322** was deferred.

CS for SB 378—A bill to be entitled An act relating to the federal write-in absentee ballot; amending s. 101.6952, F.S.; authorizing absent uniformed services voters and overseas voters to use the federal write-in absentee ballot to vote in any federal and certain state or local elections, under certain circumstances; prescribing requirements for designating candidate choices; providing for the disposition of valid votes involving joint candidacies; allowing for abbreviations, misspellings, and other minor variations in the name of an office, candidate, or political party; authorizing the submission of multiple ballots under certain circumstances; detailing circumstances under which votes in federal, state, and local races on the federal write-in absentee ballot will be canvassed; amending s. 101.5614, F.S.; establishing certain canvassing procedures for federal write-in absentee ballots; amending s. 102.166, F.S.; directing the Department of State to adopt rules to determine what constitutes a valid vote on a federal write-in absentee ballot; providing restrictions; providing minimum requirements; reenacting s. 102.166(5), F.S., to incorporate the amendment to s. 101.5614, F.S., in a reference thereto; amending s. 104.18, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 378**, on motion by Senator Gaetz, by two-thirds vote **CS for HB 227** was withdrawn from the Committees on Rules; and Budget.

On motion by Senator Gaetz—

CS for HB 227—A bill to be entitled An act relating to the federal write-in absentee ballot; amending s. 101.6952, F.S.; authorizing absent uniformed services voters and overseas voters to use the federal write-in absentee ballot to vote in any federal and certain state or local elections, under certain circumstances; prescribing requirements for designating candidate choices; providing for the disposition of valid votes involving joint candidacies; allowing for abbreviations, misspellings, and other minor variations in the name of an office, candidate, or political party; authorizing the submission of multiple ballots under certain circumstances; detailing circumstances under which votes in federal, state, and local races on the federal write-in absentee ballot will be canvassed; amending s. 101.5614, F.S.; establishing certain canvassing procedures for federal write-in absentee ballots; amending s. 102.166, F.S.; directing the Department of State to adopt rules to determine what constitutes a valid vote on a federal write-in absentee ballot; providing restrictions; providing minimum requirements; reenacting s. 102.166(5), F.S., to incorporate the amendment to s. 101.5614, F.S., in a reference thereto; amending s. 104.18, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 378** and read the second time by title.

On motion by Senator Gaetz, by two-thirds vote **CS for HB 227** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

Vote after roll call:

Yea—Alexander

Consideration of **CS for SB 380** was deferred.

On motion by Senator Bennett—

CS for CS for SB 396—A bill to be entitled An act relating to building construction and inspection; amending s. 120.80, F.S.; exempting certain rule proceedings relating to the Florida Building Code; amending s. 161.053, F.S.; prohibiting the Florida Building Commission from adopting rules that limit any exceptions or exemptions provided for modifications or repairs of existing structures within the limits of an existing foundation under certain circumstances; amending s. 255.252, F.S.; conforming provisions to changes made by the act; amending s. 255.253, F.S.; redefining the term “sustainable building rating” to include the International Green Construction Code; amending ss. 255.257 and 255.2575, F.S.; requiring that state agencies, local governments, and the court system adopt a sustainable building rating system for new and renovated buildings; amending s. 468.8316, F.S.; revising the continuing education requirements for licensed home inspectors; amending s. 468.8319, F.S.; deleting an exemption for certain contractors from the prohibition against performing repairs on a home that has a home inspection report; deleting an obsolete provision; amending s. 468.8323, F.S.; clarifying a provision relating to the contents of a home inspection report; amending s. 468.8324, F.S.; providing alternative criteria for obtaining a home inspector’s license; removing certain application requirements for a person who performs home inspection services and who qualifies for licensure on or before a specified date; amending s. 468.841, F.S.; adding licensed home inspectors to those who are exempt from complying with provisions related to mold assessment; amending s. 481.329, F.S.; providing that part II of ch. 481, F.S., does not preclude any person who engages in the business of landscape design from submitting such plans to governmental agencies for approval; amending s. 489.103, F.S.; clarifying an exemption from construction contracting regulation relating to Habitat for Humanity; amending s. 489.105, F.S.; adding the term “glass and glazing contractors” to the definition of the term “contractor”; amending ss. 489.107 and 489.141, F.S.; conforming cross-references; amending s. 514.028, F.S.; revising the composition of the advisory review board relating to public swimming pools and bathing facilities; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; providing for repeal under certain circumstances; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; amending s. 553.502, F.S.; revising intent with respect to the Florida Americans with Disabilities Act; amending s. 553.503, F.S.; incorporating the Americans with Disabilities Act Standards for Accessible Design into state law by reference and directing that they be adopted by rule into the Florida Accessibility Code for Building Construction; amending s. 553.504, F.S.; revising exceptions to incorporate the standards; amending s. 553.5041, F.S.; revising provisions relating to parking spaces for persons who have disabilities to incorporate the standards; amending ss. 553.505 and 553.506, F.S.; conforming provisions to changes made by the act; amending s. 553.507, F.S.; providing for the applicability of the act; amending s. 553.509, F.S.; revising provisions relating to vertical accessibility to incorporate the standards; providing that buildings and facilities in this state do not have to comply with the changes provided by this act until the Florida Accessibility Code for Building Construction is updated; amending s. 553.73, F.S.; revising requirements relating to the Florida Building Code; providing for a supplement to the code; specifying national codes to form the foundation for state building standards and codes; revising how often the Florida Building Commission may approve technical amendments to the code; requiring proposed amendments to base codes to provide justifications; revising requirements relating to the installation of mechanical equipment on a roof; amending s. 553.74, F.S.; revising requirements for selecting a member of the Florida Building Commission; amending s. 553.842, F.S.; providing for the approval of certain windstorm products; providing a cause of action against any person who advertises, sells, offers, provides, distributes, or markets certain pro-

ducts without approval; amending s. 553.909, F.S.; revising the requirements for certain pool-related equipment; amending s. 627.711, F.S.; revising requirements relating to home inspectors conducting hurricane mitigation inspections; providing an effective date.

—was read the second time by title.

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (927042) (with title amendment)—Delete lines 102-108 and insert:

Section 1. Subsection (4) of section 120.541, Florida Statutes, as amended by chapter 2010-279, Laws of Florida, is amended to read:

120.541 Statement of estimated regulatory costs.—

(4) *Subsection (3) Paragraph (2)(a)* does not apply to the adoption of:

(a) ~~emergency rules pursuant to s. 120.54(4) or the adoption of Federal standards pursuant to s. 120.54(6).~~

(b) *Updates of or modifications to the Florida Building Code pursuant to s. 553.73.*

(c) *Updates of or modifications to the Florida Fire Prevention Code pursuant to s. 633.0215.*

And the title is amended as follows:

Delete lines 3-5 and insert: inspection; amending s. 120.541, F.S.; providing that the issuance of a statement of estimated regulatory costs does not apply to updates of or modifications to the Florida Building Code or the Florida Fire Prevention Code; amending s. 161.053, F.S.; prohibiting

Senator Bennett moved the following amendment:

Amendment 2 (233558) (with title amendment)—Delete lines 134-207 and insert: constructed to comply with *a sustainable building rating or a national model green building code the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative’s Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high-performance green building rating system as approved by the department.* It is further the policy of the state, *if when* economically feasible, to retrofit existing state-owned buildings in a manner that *minimizes which will minimize* the consumption of energy used in the operation and maintenance of such buildings.

(4) In addition to designing and constructing new buildings to be energy-efficient, it ~~is shall be~~ the policy of the state to operate and maintain state facilities in a manner *that minimizes which will minimize* energy consumption and ~~maximizes maximize~~ building sustainability, *and to operate as well as ensure that* facilities leased by the state ~~are operated so as to minimize~~ energy use. It is further the policy of the state that the renovation of existing state facilities be in accordance with *a sustainable building rating or a national model green building code the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative’s Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high-performance green building rating system as approved by the department.* State agencies are encouraged to consider shared savings financing of ~~such~~ energy-efficiency and conservation projects, using contracts *that which* split the resulting savings for a specified period of time between the state agency and the private firm or cogeneration contracts *and that which* otherwise permit the state to lower its net energy costs. Such energy contracts may be funded from the operating budget.

Section 4. Subsection (7) of section 255.253, Florida Statutes, is amended to read:

255.253 Definitions; ss. 255.251-255.258.—

(7) “Sustainable building rating *or national model green building code*” means a rating system established by the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, *the International Green Construction*

Code (IGCC), the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high-performance green building rating system as approved by the department.

Section 5. Subsection (4) of section 255.257, Florida Statutes, is amended to read:

255.257 Energy management; buildings occupied by state agencies.—

(4) ADOPTION OF STANDARDS.—

(a) All state agencies shall adopt *a sustainable building rating system or use a national model green building code* ~~the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high-performance green building rating system as approved by the department~~ for all new buildings and renovations to existing buildings.

(b) No state agency shall enter into new leasing agreements for office space that does not meet Energy Star building standards, except when ~~determined by~~ the appropriate state agency head *determines* that no other viable or cost-effective alternative exists.

(c) All state agencies shall develop energy conservation measures and guidelines for new and existing office space where state agencies occupy more than 5,000 square feet. These conservation measures shall focus on programs that may reduce energy consumption and, when established, provide a net reduction in occupancy costs.

Section 6. Subsection (2) of section 255.2575, Florida Statutes, is amended to read:

255.2575 Energy-efficient and sustainable buildings.—

(2) All county, municipal, school district, water management district, state university, community college, and Florida state court buildings shall be constructed to *comply with a sustainable building rating system or a national model green building code* ~~meet the United States~~

And the title is amended as follows:

Delete lines 12-17 and insert: 255.253, F.S.; redefining the term "sustainable building rating" and defining the term "national model green building code" to include the International Green Construction Code; amending ss. 255.257 and 255.2575, F.S.; requiring that state agencies, local governments, and the court system adopt a sustainable building rating system or national model green building code for new and renovated

Senator Bennett moved the following amendment to **Amendment 2** which was adopted:

Amendment 2A (577284) (with title amendment)—In title, delete lines 87 and 88 and insert: 255.253, F.S.; defining the term "sustainable building rating or national model

Amendment 2 as amended was adopted.

Senator Bennett moved the following amendments which were adopted:

Amendment 3 (798124)—Delete lines 274-276 and insert: *of chapter 489.*

Amendment 4 (482168) (with title amendment)—Delete lines 770-777 and insert: *distances of the 2011 edition of NFPA 58.*

(c) *If the department, the Florida Building Commission as part of the Florida Building Code, and the Office of the State Fire Marshal as part of the Florida Fire Prevention Code each adopt the minimum separation distances of the 2011 edition of NFPA 58 as rules, whether adopted by setting out the minimum separation distances in the text of the rules or through incorporation by reference, this subsection is repealed on the last effective date of such rules.*

And the title is amended as follows:

Delete line 53 and insert: providing that if the Department of Agriculture and Consumer Services and other state agencies adopt the minimum separation distances of the NFPA codes, the rules are repealed by a specified date;

Amendment 5 (619958)—Delete lines 938-948 and insert:

(a) ~~The wheelchair-accessible standard accessible toilet compartment must restroom stall shall~~ contain an accessible lavatory within it, *which must be at least the size of such lavatory to be not less than 19 inches wide by 17 inches deep, nominal size, and wall-mounted.* The lavatory shall be mounted so as not to overlap the clear floor space areas required by s. 604 of the standards 4.17 ~~figure 30(a) of the guidelines~~ for the wheelchair-accessible standard accessible toilet compartment stall and *must* to comply with s. 606 of the standards 4.19 of the guidelines. Such lavatories shall be counted as part of the required fixture count for the building.

(b) The accessible water closet *within the wheelchair-accessible toilet compartment must*

Amendment 6 (175102) (with title amendment)—Delete lines 1329-1522 and insert:

Section 29. Effective January 1, 2012, subsections (3), (7), (8), and (9) and paragraph (h) of subsection (10) of section 553.73, Florida Statutes, are amended to read:

553.73 Florida Building Code.—

(3) The commission shall *use the International Codes published by the International Code Council, the National Electric Code (NFPA 70), or other nationally adopted model codes and standards needed to develop the state base code in order* ~~select from available national or international model building codes, or other available building codes and standards currently recognized by the laws of this state,~~ to form the foundation for the Florida Building Code. ~~The commission may modify the selected model codes and standards as needed to accommodate the specific needs of this state. Standards or criteria referenced by the selected model codes shall be similarly incorporated by reference. If a referenced standard or criterion requires amplification or modification to be appropriate for use in this state, only the amplification or modification shall be specifically set forth in the Florida Building Code.~~ The Florida Building Commission may approve technical amendments to the code, subject to ~~the requirements of~~ subsections (8) and (9), after the amendments have been subject to the following conditions:

(a) The proposed amendment has been published on the commission's website for a minimum of 45 days and all the associated documentation has been made available to any interested party before any consideration by ~~a any~~ technical advisory committee;

(b) In order for a technical advisory committee to make a favorable recommendation to the commission, the proposal must receive a three-fourths vote of the members present at the ~~Technical Advisory~~ committee meeting and at least half of the regular members must be present in order to conduct a meeting;

(c) After technical advisory committee consideration and a recommendation for approval of any proposed amendment, the proposal must be published on the commission's website for *at least not less than* 45 days before any consideration by the commission; and

(d) A ~~any~~ proposal may be modified by the commission based on public testimony and evidence from a public hearing held in accordance with chapter 120.

The commission shall incorporate within sections of the Florida Building Code provisions that ~~which~~ address regional and local concerns and variations. The commission shall make every effort to minimize conflicts between the Florida Building Code, the Florida Fire Prevention Code, and the Life Safety Code.

(7)(a) The commission, ~~by rule adopted pursuant to ss. 120.536(1) and 120.54,~~ shall update the Florida Building Code *by rule* every 3 years. When updating the Florida Building Code, the commission shall select the most current version of the International Building Code, the Inter-

national Fuel Gas Code, the International Mechanical Code, the International Plumbing Code, and the International Residential Code, all of which are adopted by the International Code Council, and the National Electrical Code, which is adopted by the National Fire Protection Association, to form the foundation codes of the updated Florida Building Code, if the version has been adopted by the applicable model code entity. The commission shall select the most current version of the International Energy Conservation Code (IECC) as a foundation code; however, the IECC ~~must~~ *shall* be modified by the commission to maintain the efficiencies of the Florida Energy Efficiency Code for Building Construction adopted and amended pursuant to s. 553.901.

(b) Codes regarding noise contour lines shall be reviewed annually, and the most current federal guidelines shall be adopted.

(c) The commission may modify any portion of the foundation codes only as needed to accommodate the specific needs of this state, maintaining Florida-specific amendments previously adopted by the commission and not addressed by the updated foundation code. Standards or criteria referenced by the codes shall be incorporated by reference. If a referenced standard or criterion requires amplification or modification to be appropriate for use in this state, only the amplification or modification shall be set forth in the Florida Building Code. The commission may approve technical amendments to the updated Florida Building Code after the amendments have been subject to the conditions set forth in paragraphs (3)(a)-(d). Amendments to the foundation codes which are adopted in accordance with this subsection ~~must~~ *shall* be clearly marked in printed versions of the Florida Building Code so that ~~the fact that the provisions are~~ Florida-specific amendments to the foundation codes ~~are~~ *is* readily apparent.

(d) The commission shall further consider the commission's own interpretations, declaratory statements, appellate decisions, and approved statewide and local technical amendments and ~~shall~~ incorporate such interpretations, statements, decisions, and amendments into the updated Florida Building Code only to the extent that they are needed to modify the foundation codes to accommodate the specific needs of the state. A change made by an institute or standards organization to any standard or criterion that is adopted by reference in the Florida Building Code does not become effective statewide until it has been adopted by the commission. Furthermore, the edition of the Florida Building Code which is in effect on the date of application for any permit authorized by the code governs the permitted work for the life of the permit and any extension granted to the permit.

(e) A rule updating the Florida Building Code in accordance with this subsection shall take effect no sooner than 6 months after publication of the updated code. Any amendment to the Florida Building Code which is adopted upon a finding by the commission that the amendment is necessary to protect the public from immediate threat of harm takes effect immediately.

(f) Provisions of the foundation codes, including those contained in referenced standards and criteria, relating to wind resistance or the prevention of water intrusion may not be modified to diminish those construction requirements; however, the commission may, subject to ~~conditions in~~ this subsection, modify the provisions to enhance those construction requirements.

(g) *Amendments or modifications to the foundation code pursuant to this subsection remain effective only until the effective date of a new edition of the Florida Building Code available every third year. Modifications and amendments included in the Florida Building Code related to state agency regulations that have been adopted and integrated into the Florida Building Code shall be carried forward into the next edition of the code subject to modification as provided in this part. If amendments that expire pursuant to this paragraph are resubmitted through the Florida Building Commission code adoption process, the amendments must specifically address whether:*

1. *The provisions contained in the proposed amendment are addressed in the applicable international code.*

2. *The amendment demonstrates by evidence or data that the state's geographical jurisdiction exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state.*

3. *The proposed amendment was submitted or attempted to be included in the foundation codes to avoid resubmission to the Florida Building Code amendment process.*

If the proposed amendment has been addressed in the applicable international code in a substantially equivalent manner, the Florida Building Commission may not include the proposed amendment in the foundation code.

(8) Notwithstanding ~~the provisions of~~ subsection (3) or subsection (7), the commission may address issues identified in this subsection by amending the code pursuant only to the rule adoption procedures contained in chapter 120. Provisions of the Florida Building Code, including those contained in referenced standards and criteria, relating to wind resistance or the prevention of water intrusion may not be amended pursuant to this subsection to diminish those construction requirements; however, the commission may, subject to ~~conditions in~~ this subsection, amend the provisions to enhance those construction requirements. Following the approval of any amendments to the Florida Building Code by the commission and publication of the amendments on the commission's website, authorities having jurisdiction to enforce the Florida Building Code may enforce the amendments. The commission may approve amendments that are needed to address:

(a) Conflicts within the updated code;

(b) Conflicts between the updated code and the Florida Fire Prevention Code adopted pursuant to chapter 633;

~~(c) The omission of previously adopted Florida specific amendments to the updated code if such omission is not supported by a specific recommendation of a technical advisory committee or particular action by the commission;~~

~~(c)(d)~~ Unintended results from the integration of previously adopted Florida-specific amendments with the model code;

~~(d)(e)~~ Equivalency of standards;

~~(e)(f)~~ Changes to or inconsistencies with federal or state law; or

~~(f)(g)~~ Adoption of an updated edition of the National Electrical Code if the commission finds that delay of implementing the updated edition causes undue hardship to stakeholders or otherwise threatens the public health, safety, and welfare.

(9)(a) The commission may approve technical amendments to the Florida Building Code once each year for statewide or regional application upon a finding that the amendment:

1. Is needed in order to accommodate the specific needs of this state.

2. Has a reasonable and substantial connection with the health, safety, and welfare of the general public.

3. Strengthens or improves the Florida Building Code, or in the case of innovation or new technology, will provide equivalent or better products or methods or systems of construction.

4. Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.

5. Does not degrade the effectiveness of the Florida Building Code.

Furthermore, The Florida Building Commission may approve technical amendments to the code once each year to incorporate into the Florida Building Code its own interpretations of the code which are embodied in its opinions, final orders, declaratory statements, and interpretations of hearing officer panels under s. 553.775(3)(c), but ~~shall do so~~ only to the extent that the incorporation of interpretations is needed to modify the foundation codes to accommodate the specific needs of this state. Amendments approved under this paragraph shall be adopted by rule ~~pursuant to ss. 120.536(1) and 120.54~~, after the amendments have been subjected to ~~the provisions of~~ subsection (3).

(b) A proposed amendment ~~must~~ *shall* include a fiscal impact statement ~~that~~ *which* documents the costs and benefits of the proposed amendment. Criteria for the fiscal impact statement shall be established by rule by the commission and shall include the impact to local gov-

ernment relative to enforcement, the impact to property and building owners, and the impact as well as to industry, relative to the cost of compliance. *The amendment must demonstrate by evidence or data that the state's geographical jurisdiction exhibits a need to strengthen the foundation code beyond the needs or regional variations addressed by the foundation code, and why the proposed amendment applies to this state.*

(c) The commission may not approve any proposed amendment that does not accurately and completely address all requirements for amendment which are set forth in this section. The commission shall require all proposed amendments and information submitted with proposed amendments to be reviewed by commission staff *before* prior to consideration by any technical advisory committee. These reviews shall be for sufficiency only and are not intended to be qualitative in nature. Staff members *must* shall reject any proposed amendment that fails to include a fiscal impact statement. Proposed amendments rejected by staff members of the staff may not be considered by the commission or any technical advisory committee.

(d) Provisions of the Florida Building Code, including those contained in referenced standards and criteria, relating to wind resistance or the prevention of water intrusion may not be amended pursuant to this subsection to diminish those construction requirements; however, the commission may, subject to conditions in this subsection, amend the provisions to enhance those construction requirements.

(10) The following buildings, structures, and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the Legislature and provided by law:

(h) Storage sheds that are not designed for human habitation and that have a floor area of 720 square feet or less are not required to comply with the mandatory wind-borne-debris-impact standards of the Florida Building Code. *Such buildings that are for use in conjunction with one- and two-family residences and are 400 square feet or less are also not subject to the door height and width requirements of the code.*

With the exception of paragraphs (a), (b), (c), and (f), in order to preserve the health, safety, and welfare of the public, the Florida Building Commission may, by rule adopted pursuant to chapter 120, provide for exceptions to the broad categories of buildings exempted in this section, including exceptions for application of specific sections of the code or standards adopted therein. The Department of Agriculture and Consumer Services shall have exclusive authority to adopt by rule, pursuant to chapter 120, exceptions to nonresidential farm buildings exempted in paragraph (c) when reasonably necessary to preserve public health, safety, and welfare. The exceptions must be based upon specific criteria, such as under-roof floor area, aggregate electrical service capacity, HVAC system capacity, or other building requirements. Further, the commission may recommend to the Legislature additional categories of buildings, structures, or facilities which should be exempted from the Florida Building Code, to be provided by law. The Florida Building Code does not apply to temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

And the title is amended as follows:

Delete lines 80-87 and insert: specifying national codes to form the foundation for state building standards and codes; providing for the incorporation of amendments into the Florida Building Code; requiring proposed amendments to the code to demonstrate a need for the amendment; providing an additional exemption from wind-borne debris standards for certain storage sheds; amending s. 553.74,

Amendment 7 (533626)—Delete line 1554 and insert: *wind-borne debris from a hurricane or wind storm unless it is*

Amendment 8 (478816) (with title amendment)—Between lines 1619 and 1620 insert:

Section 32. *Section 553.9061, Florida Statutes, is repealed.*

And the title is amended as follows:

Delete line 94 and insert: approval; repealing s. 553.9061, F.S., relating to a schedule of increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building Construction; amending s. 553.909, F.S.; revising the

Amendment 9 (864562)—Delete lines 1624-1660 and insert: heaters manufactured and sold on or after December 31, July 1, 2011, for installation in this state must shall comply with the requirements of the Florida Energy Efficiency Code for Building Construction ~~this subsection.~~

(a) ~~Natural gas pool heaters shall not be equipped with constantly burning pilots.~~

(b) ~~Heat pump pool heaters shall have a coefficient of performance at low temperature of not less than 4.0.~~

(c) ~~The thermal efficiency of gas fired pool heaters and oil fired pool heaters shall not be less than 78 percent.~~

(d) ~~All pool heaters shall have a readily accessible on-off switch that is mounted outside the heater and that allows shutting off the heater without adjusting the thermostat setting.~~

(4)(a) ~~Residential swimming pool filtration pumps and pump motors manufactured and sold on or after December 31, July 1, 2011, for installation in this state must comply with the requirements of the Florida Energy Efficiency Code for Building Construction in this subsection.~~

(b) ~~Residential filtration pool pump motors shall not be split phase, shaded pole, or capacitor start induction run types.~~

(c) ~~Residential filtration pool pumps and pool pump motors with a total horsepower of 1 HP or more shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one half of the motor's maximum rotation rate.~~

(d) ~~Residential filtration pool pump motor controls shall have the capability of operating the pool pump at a minimum of two speeds. The default circulation speed shall be the residential filtration speed, with a higher speed override capability being for a temporary period not to exceed one normal cycle or 24 hours, whichever is less; except that circulation speed for solar pool heating systems shall be permitted to run at higher speeds during periods of usable solar heat gain.~~

(5) ~~Portable electric spas manufactured and sold on or after December 31, 2011, for installation in this state must comply~~

Amendment 10 (188308) (with title amendment)—Delete line 1698 and insert:

Section 34. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2011.

And the title is amended as follows:

Delete line 98 and insert: mitigation inspections; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for SB 396** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 416—A bill to be entitled An act relating to public records; providing a definition; providing an exemption from public-records requirements for photographs and video and audio recordings that depict or record the killing of a person; authorizing access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings; providing for access to such records by local governmental entities or state or federal agencies in furtherance of official duties; providing for access pursuant to court order; providing guidelines for the court in issuing an order authorizing such photographs or video or audio recordings to be viewed, copied, or heard; requiring specified notice of a court petition to view or copy such records; providing penalties; exempting criminal or administrative proceedings from the act; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a finding of public necessity; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 416** to **CS for HB 411**.

Pending further consideration of **CS for CS for SB 416** as amended, on motion by Senator Bogdanoff, by two-thirds vote **CS for HB 411** was withdrawn from the Committees on Criminal Justice; Judiciary; and Rules.

On motion by Senator Bogdanoff—

CS for HB 411—A bill to be entitled An act relating to public records; providing a definition; providing an exemption from public records requirements for photographs and video and audio recordings that depict or record the killing of a person; authorizing access to such photographs or video or audio recordings by specified members of the immediate family of the deceased subject of the photographs or video or audio recordings; providing for access to such records by local governmental entities or state or federal agencies in furtherance of official duties; providing for access pursuant to court order; providing guidelines of the court in issuing an order authorizing such photographs or video or audio recordings to be viewed, copied, or heard; requiring specified notice of a court petition to view or copy such records; providing penalties; exempting criminal or administrative proceedings from the act; providing for retroactive application; providing for future legislative review and repeal of the exemption; providing a finding of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 416** as amended and read the second time by title.

On motion by Senator Bogdanoff, by two-thirds vote **CS for HB 411** was read the third time by title, passed by the required two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Richter
Benacquisto	Garcia	Ring
Bennett	Gardiner	Simmons
Bogdanoff	Hays	Siplin
Braynon	Hill	Smith
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Dockery	Montford	
Evers	Negron	

Nays—4

Joyner	Rich	Sachs
Sobel		

The Senate resumed consideration of—

CS for HB 901—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; redefining the term “storage”; amending s. 507.03, F.S.; providing for the biennial renewal of mover and moving broker registrations; authorizing the Department of Agriculture and Consumer Services to extend registration expiration dates in order to establish staggered dates; requiring the calculation of biennial registration fees based on an annual rate; deleting a provision requiring certain movers and moving brokers to obtain a local license or registration and pay the state registration fee; amending s. 507.07, F.S.; prohibiting a mover or moving broker from conducting business without being registered with the department; providing penalties; amending s. 507.13, F.S.; preempting local ordinances and regulations except in certain counties; restricting the levy or collection of local registration fees and taxes of movers and moving brokers; providing for local registration and bonding; exempting local business taxes from preemption; providing for retroactive application; providing an effective date.

—which was previously considered this day.

On motion by Senator Wise, by two-thirds vote **CS for HB 901** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Gaetz, the Senate recalled from Engrossing—

CS for CS for CS for SB 88—A bill to be entitled An act relating to public employee compensation; amending s. 215.425, F.S.; revising provisions relating to the prohibition against the payment of extra compensation; providing for bonuses; specifying the conditions for paying bonuses; prohibiting provisions in contracts that provide for severance pay; allowing for severance pay under specified circumstances; defining the term “severance pay”; prohibiting a contract provision that provides for extra compensation to limit the ability to discuss the contract; amending s. 166.021, F.S.; deleting a provision that allows a municipality to pay extra compensation; amending s. 112.061, F.S.; conforming cross-references; repealing s. 125.01(1)(bb), F.S., relating to the power of a local government to pay extra compensation; repealing s. 373.0795, F.S., relating to a prohibition against severance pay for officers or employees of water management districts; providing an effective date.

—for further consideration as amended this day.

On motion by Senator Gaetz, by two-thirds vote **CS for CS for CS for SB 88** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—1

Oelrich

SB 420—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 381.8531, F.S.; providing that personal identifying information pertaining to a donor to the central repository for brain tumor biopsies or the brain tumor registry of the Florida Center for Brain Tumor Research is confidential and exempt

from public-records requirements; providing an exception under certain conditions for information disclosed to a person engaged in bona fide research; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 420**, on motion by Senator Garcia, by two-thirds vote **HB 7079** was withdrawn from the Committees on Health Regulation; and Governmental Oversight and Accountability.

On motion by Senator Garcia—

HB 7079—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 381.8531, F.S.; providing that personal identifying information of a donor to the central repository for brain tumor biopsies or the brain tumor registry of the Florida Center for Brain Tumor Research is confidential and exempt from public records requirements; providing for retroactive application of the exemption; providing an exception to the exemption for a person engaged in bona fide research provided certain conditions are met; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **SB 420** and read the second time by title.

On motion by Senator Garcia, by two-thirds vote **HB 7079** was read the third time by title, passed by the required two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 438—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending ss. 741.30 and 784.046, F.S.; subject to available funding, directing the Florida Association of Court Clerks and Comptrollers to develop an automated process by which a petitioner for an injunction for protection may request notification of service of the injunction or notice of other court actions related to the injunction; requiring that notice be given to the petitioner within a specified time; providing for the content of the notice; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 438** to **CS for CS for HB 563**.

Pending further consideration of **CS for SB 438** as amended, on motion by Senator Hill, by two-thirds vote **CS for CS for HB 563** was withdrawn from the Committees on Criminal Justice; Judiciary; and Budget.

On motion by Senator Hill—

CS for CS for HB 563—A bill to be entitled An act relating to injunctions for protection against domestic violence, repeat violence, sexual violence, or dating violence; amending ss. 741.30 and 784.046, F.S.;

subject to available funding, directing the Florida Association of Court Clerks and Comptrollers to develop an automated process by which a petitioner for an injunction for protection may request notification of service of the injunction or notice of other court actions related to the injunction; requiring that notice be given to the petitioner within a specified time; providing for the content of the notice; authorizing the association to apply for grants to fund the development of the automated process; providing an effective date.

—a companion measure, was substituted for **CS for SB 438** as amended and read the second time by title.

On motion by Senator Hill, by two-thirds vote **CS for CS for HB 563** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 502—A bill to be entitled An act relating to state symbols; creating s. 15.03865, F.S.; designating the Barking Tree Frog as the official state amphibian; providing an effective date.

—was read the second time by title. On motion by Senator Oelrich, by two-thirds vote **SB 502** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Consideration of **CS for SB 504** was deferred.

CS for CS for SB 512—A bill to be entitled An act relating to vessels; amending s. 327.33, F.S.; revising penalty provisions for the violation of navigation rules; providing that a violation resulting in serious bodily injury or death is a second-degree misdemeanor; providing that a violation that does not constitute reckless operation of a vessel is a non-criminal violation; amending s. 327.395, F.S.; providing an additional exemption from the requirement that certain persons possess a boating safety identification card while operating a motor vessel of a specified horsepower; amending s. 327.54, F.S.; prohibiting a livery from leasing, hiring, or renting a motor vessel of certain horsepower to a person unless

the person presents photographic identification and a valid boater safety identification card or provides proof that the person has successfully completed the boater education course; amending s. 327.73, F.S.; providing for increased penalties for certain noncriminal violations of navigation rules; deleting a duplicate provision; reenacting and amending s. 327.72, F.S., relating to penalties, to incorporate the amendment made to s. 327.73, in a reference thereto; correcting a cross-reference; reenacting s. 327.731(1), F.S., relating to mandatory education for violators, to incorporate the amendment made to s. 327.73, F.S., in a reference thereto; providing an effective date.

—was read the second time by title. On motion by Senator Negron, by two-thirds vote **CS for CS for SB 512** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

Vote after roll call:

Yea—Alexander

SB 514—A bill to be entitled An act relating to vehicle crashes involving death; providing a short title; amending s. 316.027, F.S.; requiring a defendant who was arrested for leaving the scene of a crash involving death be held in custody until brought before a judge for admittance to bail in certain circumstances; reenacting s. 921.0022(3)(g), F.S., relating to the Criminal Punishment Code, to incorporate the amendments made to s. 316.027, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 514**, on motion by Senator Garcia, by two-thirds vote **HB 347** was withdrawn from the Committees on Criminal Justice; Judiciary; and Budget.

On motion by Senator Garcia—

HB 347—A bill to be entitled An act relating to vehicle crashes involving death; providing a short title; amending s. 316.027, F.S.; requiring a defendant who was arrested for leaving the scene of a crash involving death be held in custody until brought before a judge for admittance to bail in certain circumstances; reenacting s. 921.0022(3)(g), F.S., relating to the Criminal Punishment Code, to incorporate the amendments made to s. 316.027, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **SB 514** and read the second time by title.

On motion by Senator Garcia, by two-thirds vote **HB 347** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bogdanoff	Diaz de la Portilla
Altman	Braynon	Dockery
Benacquisto	Dean	Evers
Bennett	Detert	Fasano

Flores	Lynn	Sachs
Gaetz	Margolis	Simmons
Garcia	Montford	Siplin
Gardiner	Negron	Smith
Hays	Norman	Sobel
Hill	Oelrich	Storms
Jones	Rich	Thrasher
Joyner	Richter	Wise
Latvala	Ring	

Nays—None

Vote after roll call:

Yea—Alexander

SB 568—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.1076, F.S., relating to public-record exemptions for court records relating to court monitors in guardianship proceedings; consolidating provisions; providing that orders appointing nonemergency court monitors are exempt rather than confidential and exempt; providing that only court orders finding no probable cause are confidential and exempt; saving the exemptions from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 568**, on motion by Senator Flores, by two-thirds vote **HB 7085** was withdrawn from the Committees on Judiciary; and Governmental Oversight and Accountability.

On motion by Senator Flores—

HB 7085—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.1076, F.S., relating to public record exemptions for court records relating to court monitors in guardianship proceedings; consolidating provisions; providing that orders appointing nonemergency court monitors are exempt rather than confidential and exempt; providing that only court orders finding no probable cause are confidential and exempt; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 568** and read the second time by title.

On motion by Senator Flores, by two-thirds vote **HB 7085** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Gaetz

SB 570—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 787.03, F.S., relating to a public-records exemption for information submitted to a sheriff or state attorney for the purpose of obtaining immunity from prosecution for the offense of interference with custody; saving the exemption from repeal under the Open Government Sunset Review Act; deleting a provision providing for the repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 570**, on motion by Senator Flores, by two-thirds vote **HB 7083** was withdrawn from the Committees on Judiciary; and Governmental Oversight and Accountability.

On motion by Senator Flores—

HB 7083—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 787.03, F.S., which provides a public records exemption for information submitted to a sheriff or state attorney for the purpose of obtaining immunity from prosecution for the offense of interference with custody; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 570** and read the second time by title.

On motion by Senator Flores, by two-thirds vote **HB 7083** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for SB 572—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.7082, F.S., which provides an exemption from public-records requirements for information that identifies certain donors or prospective donors to the direct-support organization for the Statewide Public Guardianship Office; removing superfluous and duplicative language; repealing s. 2, ch. 2006-179, Laws of Florida, which provides for repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 572**, on motion by Senator Flores, by two-thirds vote **HB 7081** was withdrawn from the Committees on Judiciary; and Governmental Oversight and Accountability.

On motion by Senator Flores—

HB 7081—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 744.7082, F.S., which provides an exemption from public records requirements for information that identifies certain donors or prospective donors to the direct-support organization for the Statewide Public Guardianship Office; removing superfluous and duplicative language; repealing s. 2, ch. 2006-179, Laws

of Florida, which provides for repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **CS for SB 572** and read the second time by title.

On motion by Senator Flores, by two-thirds vote **HB 7081** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Gardiner	Rich
Benacquisto	Hays	Richter
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Vote after roll call:

Yea—Evers, Garcia

CS for CS for SB 594—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; requiring that a claim in a wrongful death case be presented to the Department of Financial Services within 2 years after the claim accrues; providing that failure of the Department of Financial Services or the appropriate agency to make final disposition of a claim for wrongful death within 90 days after it is filed is deemed to be a final denial of the claim; tolling the statute of limitations for the period of time taken by the Department of Financial Services or other agency to deny a medical malpractice or wrongful death claim; providing that actions for wrongful death against the state or one of its agencies or subdivisions must be brought within the period applicable to actions brought against other defendants; specifying applicability to workers' compensation claims; providing for the application of the act to causes of action accruing on or after the effective date; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 594** to **CS for CS for HB 277**.

Pending further consideration of **CS for CS for SB 594** as amended, on motion by Senator Hays—

CS for CS for HB 277—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; requiring that a claim in a wrongful death case be presented to the Department of Financial Services within 2 years after the claim accrues; providing that failure of the Department of Financial Services or the appropriate agency to make final disposition of a claim for wrongful death within 90 days after it is filed is deemed to be a final denial of the claim; tolling the statute of limitations for the period of time taken by the Department of Financial Services or other agency to deny a medical malpractice or wrongful death claim; providing that actions for wrongful death against the state or one of its agencies or subdivisions must be brought within the period applicable to actions brought against other defendants; providing for the application of the act to causes of action accruing on or after the effective date; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 594** as amended and read the second time by title.

On motion by Senator Hays, by two-thirds vote **CS for CS for HB 277** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Dean	Jones	Simmons
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—2

Braynon	Joyner
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Vote after roll call:

Yea—Benacquisto

CS for SB 600—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for identification and location information of certain current and former employees of the Department of Juvenile Justice and their family members; revising the job classifications specified in the exemption to reflect those classifications used by the department; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 600**, on motion by Senator Evers, by two-thirds vote **HB 7075** was withdrawn from the Committees on Criminal Justice; and Governmental Oversight and Accountability.

On motion by Senator Evers—

HB 7075—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for identification and location information of certain current and former employees of the Department of Juvenile Justice and their family members; revising the job classifications specified in the exemption to reflect those classifications used by the department; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **CS for SB 600** and read the second time by title.

On motion by Senator Evers, by two-thirds vote **HB 7075** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Latvala	Siplin
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—3

Dockery	Joyner	Smith
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SB 602—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public-records requirements for biometric identification information held by an agency; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 602**, on motion by Senator Evers, by two-thirds vote **HB 7077** was withdrawn from the Committees on Criminal Justice; and Governmental Oversight and Accountability.

On motion by Senator Evers—

HB 7077—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for biometric identification information held by an agency; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **SB 602** and read the second time by title.

On motion by Senator Evers, by two-thirds vote **HB 7077** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 604—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 790.0601, F.S., which provides an exemption from public-records requirements for personal identifying information of an individual who has applied for or received a license to carry a concealed weapon or firearm; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 604**, on motion by Senator Evers, by two-thirds vote **HB 7161** was withdrawn from the Committees on Criminal Justice; and Governmental Oversight and Accountability.

On motion by Senator Evers—

HB 7161—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 790.0601(3), F.S., to remove the scheduled repeal of an exemption from public records requirements for personal identifying information of an applicant for or recipient of a license to carry a concealed weapon or firearm; providing an effective date.

—a companion measure, was substituted for **SB 604** and read the second time by title.

On motion by Senator Evers, by two-thirds vote **HB 7161** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Dean	Latvala	Siplin
Detert	Lynn	Smith
Diaz de la Portilla	Margolis	Sobel
Dockery	Montford	Storms
Evers	Negron	Thrasher
Fasano	Norman	Wise

Nays—2

Braynon	Joyner
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CS for SB 648—A bill to be entitled An act relating to estates; creating s. 90.5021, F.S.; creating a fiduciary lawyer-client privilege; providing that the lawyer-client privilege applies to the communications between a lawyer and a client that is a fiduciary; providing that the act does not affect the crime or fraud exception to the lawyer-client privilege; amending s. 732.102, F.S.; revising provisions relating to the intestate share of a surviving spouse; creating s. 732.615, F.S.; providing a right to reform the terms of a will to correct mistakes; creating s. 732.616, F.S.; providing a right to modify the terms of a will to achieve tax objectives; creating s. 733.1061, F.S.; providing for a court to award fees and costs in reformation and modification proceedings either against a party's share in the estate or in the form of a personal judgment against a party individually; amending s. 732.5165, F.S.; clarifying that a revocation of a will is subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 732.518, F.S.; specifying that a challenge to the revocation of a will may not be commenced before the testator's death; amending s. 733.212, F.S.; requiring a notice of administration to state that the fiduciary lawyer-client privilege applies with respect to the personal representative and his or her attorney; amending s. 736.0207, F.S.; clarifying when a challenge to the revocation of a revocable trust may be brought; amending s. 736.0406, F.S.; providing that the creation of a trust amendment or trust restatement and the revocation of a trust are subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 736.0813, F.S.; providing that the fiduciary lawyer-client privilege applies to communications between a trustee and an attorney employed by the trustee; amending s. 744.441, F.S.; limiting the circumstances under which a guardian of an incapacitated person may bring a challenge to a settlor's revocation of a revocable trust; amending s. 736.0201, F.S.; clarifying that certain payments by a trustee from trust assets are not taxation of attorney's fees and costs subject to a specified Rule of Civil Procedure; providing for application of the act; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 648**, on motion by Senator Joyner, by two-thirds vote **CS for HB 325** was withdrawn from the Committees on Judiciary; Banking and Insurance; and Rules.

On motion by Senator Joyner—

CS for HB 325—A bill to be entitled An act relating to estates; creating s. 90.5021, F.S.; providing a fiduciary lawyer-client privilege; providing that the section is inapplicable to a specified crime or fraud exception to lawyer-client privilege; amending s. 732.102, F.S.; revising provisions relating to the intestate share of a surviving spouse; creating s. 732.615, F.S.; providing a right to reform the terms of a will to correct mistakes; creating s. 732.616, F.S.; providing a right to modify the terms of a will to achieve tax objectives; creating s. 733.1061, F.S.; providing for a court to award fees and costs in reformation and modification proceedings either against a party's share in the estate or in the form of a personal judgment against a party individually; amending s. 732.5165,

F.S.; clarifying that a revocation of a will is subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 732.518, F.S.; specifying that a challenge to the revocation of a will may not be commenced before the testator's death; amending s. 733.212, F.S.; providing for notice of fiduciary lawyer-client privilege in a notice of administration; amending s. 736.0207, F.S.; clarifying when a challenge to the revocation of a revocable trust may be brought; amending s. 736.0406, F.S.; providing that the creation of a trust amendment or trust restatement and the revocation of a trust are subject to challenge on the grounds of fraud, duress, mistake, or undue influence; amending s. 736.0813, F.S.; providing for notice of fiduciary lawyer-client privilege by a trustee; amending s. 744.441, F.S.; limiting the circumstances under which a guardian of an incapacitated person may bring a challenge to a settlor's revocation of a revocable trust; amending s. 736.0201, F.S.; clarifying that certain payments by a trustee from trust assets are not taxation of attorney's fees and costs subject to a specified Rule of Civil Procedure; providing effective dates.

—a companion measure, was substituted for **CS for SB 648** and read the second time by title.

On motion by Senator Joyner, by two-thirds vote **CS for HB 325** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 692—A bill to be entitled An act relating to assisted living facilities; amending s. 429.19, F.S.; removing a requirement that the Agency for Health Care Administration disseminate annually a printed list of assisted living facilities sanctioned or fined to specified agencies and departments; amending s. 429.23, F.S.; removing reporting requirements for assisted living facilities relating to liability claims; amending s. 429.35, F.S.; removing an obsolete reporting requirement; amending s. 429.41, F.S.; removing a provision requiring the Department of Elderly Affairs to submit to the Legislature for review and comment a copy of proposed department rules establishing standards for resident care; repealing s. 429.54, F.S., relating to a provision that authorizes the Department of Elderly Affairs to collect information regarding the cost of providing certain services in facilities and to conduct field visits and audits and a provision authorizing a local subsidy; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 692**, on motion by Senator Richter, by two-thirds vote **CS for HB 4045, HB 4047, HB 4049, HB 4051 and HB 4053** was withdrawn from the Committees on Children, Families, and Elder Affairs; Health Regulation; and Rules.

On motion by Senator Richter—

CS for HB 4045, HB 4047, HB 4049, HB 4051 and HB 4053—A bill to be entitled An act relating to assisted living facilities; amending s. 429.19, F.S.; removing a requirement that the Agency for Health Care Administration disseminate annually a printed list of assisted living facilities sanctioned or fined to specified agencies and departments; amending s. 429.23, F.S.; removing reporting requirements for assisted

living facilities relating to liability claims; amending s. 429.35, F.S.; removing an obsolete reporting requirement; amending s. 429.41, F.S.; removing a provision requiring the Department of Elderly Affairs to submit to the Legislature for review and comment a copy of proposed department rules establishing standards for resident care; repealing s. 429.54, F.S.; repealing a provision authorizing the Department of Elderly Affairs to collect information regarding the cost of providing certain services in facilities and to conduct field visits and audits; repealing a provision authorizing a local subsidy; providing an effective date.

—a companion measure, was substituted for **CS for SB 692** and read the second time by title.

On motion by Senator Richter, by two-thirds vote **CS for HB 4045, HB 4047, HB 4049, HB 4051 and HB 4053** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Vote after roll call:

Yea to Nay—Joyner

SB 714—A bill to be entitled An act relating to disabled parking permits; amending s. 318.18, F.S.; providing for a parking enforcement specialist or agency to validate compliance for the disposition of a citation issued for illegally parking in a space provided for people who have disabilities; amending s. 320.0848, F.S.; revising requirements for renewal or replacement of a disabled parking permit; prohibiting applying for a new disabled parking permit for a certain period of time upon a second finding of guilt or plea of nolo contendere to unlawful use of such permit; requiring the Department of Highway Safety and Motor Vehicles to audit disabled parking permit holders, verify certain information, and invalidate the permit of a deceased permitholder; directing the department to implement a means for reporting abuse of disabled parking permits; providing for the department to conduct a public awareness campaign; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote **SB 714** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Hays	Richter
Bennett	Hill	Ring
Bogdanoff	Jones	Sachs
Braynon	Joyner	Simmons
Dean	Latvala	Siplin
Detert	Lynn	Smith
Diaz de la Portilla	Margolis	Sobel
Dockery	Montford	Storms
Fasano	Negron	Thrasher

Wise

Nays—None

CS for SB 720—A bill to be entitled An act relating to cancer research and control; amending s. 20.435, F.S.; changing the carryforward period of certain funds of the Biomedical Research Trust Fund; amending s. 215.5602, F.S.; modifying the terms and membership and establishing a staggered membership for appointed members of the Biomedical Research Advisory Council; authorizing the council to recommend a portion of the allocation for the James and Esther King Biomedical Research Program for specified purposes and to develop a grant application and review mechanism; prohibiting any member of the council from participating in council or peer-review panel discussions or decisions regarding certain proposals; authorizing the Department of Health to accept and use gifts for awards under the program; amending s. 381.922, F.S.; revising the purpose of the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program; revising the types of applications considered for funding; authorizing the Biomedical Research Advisory Council to recommend a portion of the allocation for the program for specified purposes and to develop a grant application and review mechanism; prohibiting any member of the council from participating in council or panel discussions or decisions regarding certain proposals; requiring the department to submit to the Governor and Legislature a report by a specified date; authorizing the Department of Health to accept and use gifts for awards under the program; creating s. 381.923, F.S.; creating the Florida Comprehensive Cancer Control Act; providing legislative intent; providing definitions; creating the Florida Cancer Control and Resource Advisory Council; providing membership of the council; providing the composition of the executive committee of the council; providing for terms of the council and meetings; providing for reimbursement for per diem and travel expenses; prohibiting a member of the council from participating in any discussion or decision to recommend any type of award or contract to any qualified nonprofit association or to any agency of this state or a political subdivision of the state with which the member is associated as an employee or as a member of the governing body or with which the member has entered into a contractual arrangement; providing the duties and responsibilities of the council; requiring the council to report findings and recommendations to the Governor, the Legislature, and the State Surgeon General; requiring the council to develop or purchase written summaries regarding medically viable treatment alternatives for the management of breast cancer and prostate cancer; providing requirements for the written summaries; requiring the council to develop and implement education programs regarding early detection and treatment of breast cancer and prostate cancer; requiring that the H. Lee Moffitt Cancer Center and Research Institute, Inc., provide an executive director for the council; authorizing the Department of Health to adopt rules to administer s. 381.923, F.S.; requiring the department to produce the Florida Cancer Plan in consultation with the council; creating the Cancer Control Collaborative Program within the Department of Health; providing the responsibility and mission of the program; requiring the department to appoint a director; providing duties for each regional cancer control collaborative; requiring the collaborative program to submit to the council an annual report by a specified date; requiring the program to serve as the infrastructure for expansion or adaption as federal programs or other opportunities arise for future cancer control initiatives; amending ss. 458.324 and 459.0125, F.S.; conforming cross-references; repealing s. 1004.435, F.S., relating to cancer control and research; providing an effective date.

—was read the second time by title. On motion by Senator Gaetz, by two-thirds vote **CS for SB 720** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bogdanoff	Dockery
Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz

Garcia	Margolis	Sachs
Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise

Nays—None

SB 726—A bill to be entitled An act relating to state symbols; creating s. 15.0465, F.S.; designating the schooner Western Union as the official state flagship; providing an effective date.

—was read the second time by title. On motion by Senator Latvala, by two-thirds vote **SB 726** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **SB 726**.

CS for SB 740—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.60, F.S.; redefining the term “line-make vehicles” to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make; amending s. 320.6992, F.S.; revising the application of provisions relating to franchise agreements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 740**, on motion by Senator Negron, by two-thirds vote **CS for HB 437** was withdrawn from the Committees on Transportation; Banking and Insurance; and Budget.

On motion by Senator Negron—

CS for HB 437—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.60, F.S.; redefining the term “line-make vehicles” to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make; amending s. 320.6992, F.S.; revising the application of provisions relating to franchise agreements; providing an effective date.

—a companion measure, was substituted for **CS for SB 740** and read the second time by title.

On motion by Senator Negron, by two-thirds vote **CS for HB 437** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Alexander	Altman
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Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Ring
Braynon	Hill	Sachs
Dean	Jones	Simmons
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Smith
Dockery	Margolis	Sobel
Evers	Montford	Storms
Fasano	Negron	Thrasher
Flores	Norman	Wise
Gaetz	Oelrich	

Nays—1

Joyner

CS for CS for SB 846—A bill to be entitled An act relating to sexual performance by a child; amending s. 827.071, F.S.; defining the term “intentionally view”; prohibiting controlling or intentionally viewing any photograph, motion picture, exhibition, show, image, data, computer depiction, representation, or other presentation that includes sexual conduct by a child; providing an exception; providing penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; providing an effective date.

—was read the second time by title. On motion by Senator Benacquisto, by two-thirds vote **CS for CS for SB 846** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SM 852—A memorial to the Congress of the United States, urging Congress to support the marketing of Florida seafood.

WHEREAS, Florida seafood products face constantly increasing domestic competition from imported seafood products, with more than 80 percent of the total seafood consumed in the United States currently originating in foreign countries, and

WHEREAS, effective domestic marketing of Florida seafood in the face of aggressive competition from foreign products requires innovative, forceful, and consistent promotion, and

WHEREAS, current annual funding for the domestic promotion of Florida seafood is insufficient to effectively develop the thriving markets that sustainable Florida seafood products merit, especially when competing with nationally supported promotional programs aimed at United States consumers by rival seafood-producing countries, and

WHEREAS, duties and tariffs on imported seafood products generate approximately \$280,000,000 annually for the United States Treasury, and

WHEREAS, revenue from anti-dumping and countervailing duties on imported seafood products collected by the Federal Government total hundreds of millions of dollars annually, and

WHEREAS, federal revenue derived from the importation of competing seafood products is not presently made available for the marketing of seafood harvested and produced domestically, and

WHEREAS, using a portion of the revenue collected on the importation of foreign seafood products to promote United States seafood to domestic consumers will secure United States fisheries and seafood processing jobs, create robust and enduring domestic markets, and greatly enhance the nutritional value of national diets, and

WHEREAS, throughout recent history each spill or leak associated with the transportation or production of oil negatively affects the seafood industry through the closure of commercial and recreational fishing operations, the destruction of wildlife and natural habitat, or loss of market share, and

WHEREAS, in a recent survey conducted by the University of Minnesota, 54 percent of respondents said the Deepwater Horizon oil spill has affected their seafood consumption habits somewhat, 44 percent said they will not eat seafood from the Gulf of Mexico, and 31 percent said they will eat less seafood regardless of its origin, and

WHEREAS, a new National Seafood Marketing Fund designed to promote and develop United States produced seafood would help the United States seafood industry now and in the future recoup damages related to oil spills that result in decreased market demand for seafood, and

WHEREAS, a small portion of oil revenues are a logical source of funding for a National Seafood Marketing Fund as mitigation for real damages incurred by the seafood industry and coastal communities, NOW, THEREFORE,

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

That the Congress of the United States is requested to allocate moneys generated from federal marine and fishery product import tariffs for the domestic marketing of Florida seafood.

BE IT FURTHER RESOLVED that the Congress of the United States is urged to pass legislation dedicating a significant portion of marine and fishery product import tariffs to a national seafood marketing fund to promote domestic seafood products that face competition from foreign imports.

BE IT FURTHER RESOLVED that the Florida Congressional Delegation is urged to work with representatives of other seafood-producing states to secure adequate funding for effective and sustained domestic marketing of United States seafood.

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

—was read the second time in full.

Pending further consideration of **SM 852**, on motion by Senator Hays, by two-thirds vote **HM 9** was withdrawn from the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Agriculture.

On motion by Senator Hays, by two-thirds vote—

HM 9—A memorial to the Congress of the United States, urging Congress to support the marketing of Florida seafood.

WHEREAS, Florida seafood products face constantly increasing domestic competition from imported seafood products, with more than 80 percent of the total seafood consumed in the United States currently originating in foreign countries, and

WHEREAS, effective domestic marketing of Florida seafood in the face of aggressive competition from foreign products requires innovative, forceful, and consistent promotion, and

WHEREAS, current annual funding for the domestic promotion of Florida seafood is insufficient to effectively develop the thriving markets that sustainable Florida seafood products merit, especially when competing with nationally supported promotional programs aimed at United States consumers by rival seafood-producing countries, and

WHEREAS, duties and tariffs on imported seafood products generate approximately \$280,000,000 annually for the United States Treasury, and

WHEREAS, revenue from anti-dumping and countervailing duties on imported seafood products collected by the Federal Government total hundreds of millions of dollars annually, and

WHEREAS, federal revenue derived from the importation of competing seafood products is not presently made available for the marketing of seafood harvested and produced domestically, and

WHEREAS, using a portion of the revenue collected on the importation of foreign seafood products to promote United States seafood to domestic consumers will secure United States fisheries and seafood processing jobs, create robust and enduring domestic markets, and greatly enhance the nutritional value of national diets, and

WHEREAS, throughout recent history each spill or leak associated with the transportation or production of oil negatively affects the seafood industry through the closure of commercial and recreational fishing operations, the destruction of wildlife and natural habitat, or loss of market share, and

WHEREAS, in a recent survey conducted by the University of Minnesota, 54 percent of respondents said the Deepwater Horizon oil spill has affected their seafood consumption habits somewhat, 44 percent said they will not eat seafood from the Gulf of Mexico, and 31 percent said they will eat less seafood regardless of its origin, and

WHEREAS, a new National Seafood Marketing Fund designed to promote and develop United States produced seafood would help the United States seafood industry now and in the future recoup damages related to oil spills that result in decreased market demand for seafood, and

WHEREAS, a small portion of oil revenues are a logical source of funding for a National Seafood Marketing Fund as mitigation for real damages incurred by the seafood industry and coastal communities, NOW, THEREFORE,

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

That the Congress of the United States is requested to allocate moneys generated from federal marine and fishery product import tariffs for the domestic marketing of Florida seafood.

BE IT FURTHER RESOLVED that the Congress of the United States is urged to pass legislation dedicating a significant portion of marine and fishery product import tariffs to a national seafood marketing fund to promote domestic seafood products that face competition from foreign imports.

BE IT FURTHER RESOLVED that the Florida Congressional Delegation is urged to work with representatives of other seafood-producing states to secure adequate funding for effective and sustained domestic marketing of United States seafood.

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

—a companion measure, was substituted for **SM 852** and by two-thirds vote read the second time in full. On motion by Senator Hays, **HM 9** was adopted and certified to the House.

CS for SB 926—A bill to be entitled An act relating to the limitation of liability for employers who employ persons with a developmental disability; creating s. 768.0985, F.S.; providing that an employer, under certain circumstances, is not liable for the acts or omissions of an employee who is a person with a developmental disability; providing that a supported employment service provider that provides or has provided supported employment services to a person with a developmental disability is not liable for the actions or conduct of the person occurring within the scope of the person’s employment; defining the terms “developmental disability” and “supported employment service provider”; providing for application of the act; providing an effective date.

—was read the second time by title. On motion by Senator Storms, by two-thirds vote CS for SB 926 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Consideration of CS for CS for SB 930 was deferred.

SB 978—A bill to be entitled An act relating to individual retirement accounts; amending s. 222.21, F.S.; clarifying the exemption of inherited individual retirement accounts from legal processes; providing intent; providing for retroactive application; providing an effective date.

—was read the second time by title. On motion by Senator Flores, by two-thirds vote SB 978 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hill	Ring
Bogdanoff	Jones	Sachs
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Vote after roll call:

Yea—Dockery, Hays, Simmons

Consideration of SB 996 was deferred.

SB 1000—A bill to be entitled An act relating to interscholastic and intrascholastic sports; amending s. 1006.15, F.S.; removing certain provisions relating to a pilot program in which a middle school student or a

high school student in a private school may participate in athletics at a public school; providing for statewide implementation of the program; requiring that the athletic director of each public school maintain the records of students participating in the program; requiring that any private school that is not a member of the Florida High School Athletic Association make the records of participating students available to the association upon request; requiring that a student apply to participate in the program through the appropriate application process; limiting participation in the program to students who are enrolled in non-FHSAA member private schools consisting of a maximum number of students; providing an effective date.

—was read the second time by title.

Pending further consideration of SB 1000, on motion by Senator Wise, by two-thirds vote HB 797 was withdrawn from the Committees on Education Pre-K - 12; Health Regulation; and Budget.

On motion by Senator Wise—

HB 797—A bill to be entitled An act relating to interscholastic and intrascholastic sports; amending s. 1006.15, F.S.; removing certain provisions relating to a pilot program in which a middle school student or a high school student in a private school may participate in athletics at a public school; providing for statewide implementation of the program; requiring that the athletic director of each public school maintain the records of students participating in the program; requiring that any private school that is not a member of the Florida High School Athletic Association make the records of participating students available to the association upon request; requiring that a student apply to participate in the program through the appropriate application process; limiting participation in the program to students who are enrolled in non-FHSAA member private schools consisting of a maximum number of students; providing an effective date.

—a companion measure, was substituted for SB 1000 and read the second time by title.

On motion by Senator Wise, by two-thirds vote HB 797 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for CS for SB 1086—A bill to be entitled An act relating to the restraint of incarcerated pregnant women; providing a short title; defining terms; prohibiting use of restraints on a prisoner known to be pregnant during labor, delivery, and postpartum recovery unless a corrections official makes an individualized determination that the prisoner presents an extraordinary circumstance requiring restraints; providing that a doctor, nurse, or other health care professional treating the prisoner may request that restraints not be used, in which case the corrections officer or other official accompanying the prisoner shall remove all restraints; requiring that any restraint applied must be done in the least restrictive manner necessary; requiring the corrections official to make written findings within 10 days as to the extraordinary circumstance that dictated the use of restraints; restricting the use of waist, wrist, or leg and ankle restraints during the third trimester of pregnancy or when requested by a doctor, nurse, or other health care professional treating the prisoner; providing that the use of restraints at

any time after it is known that a prisoner is pregnant must be by the least restrictive manner necessary in order to mitigate the possibility of adverse clinical consequences; requiring that the findings be kept on file by the correctional institution or detention facility for at least 5 years and be made available for public inspection under certain circumstances; authorizing any woman who is restrained in violation of the act to file a grievance within a specified period; providing that these remedies do not prevent a woman harmed from filing a complaint under any other relevant provision of federal or state law; directing the Department of Corrections and the Department of Juvenile Justice to adopt rules; requiring correctional institutions and detention facilities to inform female prisoners of the rules upon admission, include the policies and practices in the prisoner handbook, and post the policies and practices in the correctional institution or detention facility; requiring the Secretary of Corrections, the Secretary of Juvenile Justice, and county and municipal corrections officials to annually file written reports with the Executive Office of the Governor detailing each incident of restraint in violation of law or as an authorized exception; providing an effective date.

—was read the second time by title.

Senator Hill moved the following amendments which were adopted:

Amendment 1 (160938)—Delete lines 139-141 and insert: *available for public inspection.*

Amendment 2 (742688)—Delete lines 187 and 188 and insert: *instance. Such reports shall be made*

On motion by Senator Hill, by two-thirds vote **CS for CS for SB 1086** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 1140—A bill to be entitled An act relating to child care facilities; providing a short title; amending s. 402.305, F.S.; requiring vehicles used by child care facilities and large family child care homes to be equipped with an alarm system that prompts the driver to inspect the vehicle for children before exiting the vehicle; requiring the Department of Children and Family Services to adopt rules and maintain a list of approved alarm systems; providing an effective date.

—was read the second time by title. On motion by Senator Sachs, by two-thirds vote **CS for SB 1140** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Joyner
Alexander	Evers	Latvala
Altman	Fasano	Lynn
Benacquisto	Flores	Margolis
Bennett	Gaetz	Montford
Bogdanoff	Garcia	Negron
Braynon	Gardiner	Norman
Dean	Hays	Oelrich
Detert	Hill	Rich
Diaz de la Portilla	Jones	Richter

Ring	Siplin	Storms
Sachs	Smith	Thrasher
Simmons	Sobel	Wise

Nays—None

CS for SB 1152—A bill to be entitled An act relating to limited liability companies; amending s. 608.433, F.S.; providing that a charging order against a member's limited liability company interest is the sole and exclusive remedy available to enforce a judgment creditor's unsatisfied judgment against a member or member's assignee; providing an exception for enforcing a judgment creditor's unsatisfied judgment against a judgment debtor or assignee of the judgment debtor of a single-member limited liability company under certain circumstances; providing that, in the case of a multimember limited liability company, certain remedies are unavailable to a judgment creditor attempting to satisfy a judgment; prohibiting a court from ordering such remedies; providing for construction relating to secured creditor rights, specified principles of law and equity, and continuing enforcement jurisdiction of the court; providing legislative intent; providing for retroactive application; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title.

Pending further consideration of **CS for SB 1152**, on motion by Senator Simmons, by two-thirds vote **CS for HB 253** was withdrawn from the Committees on Commerce and Tourism; Judiciary; and Banking and Insurance.

On motion by Senator Simmons, by two-thirds vote—

CS for HB 253—A bill to be entitled An act relating to limited liability companies; amending s. 608.433, F.S.; providing that a charging order against a member's limited liability company interest is the sole and exclusive remedy available to enforce a judgment creditor's unsatisfied judgment against a member or member's assignee; providing an exception for enforcing a judgment creditor's unsatisfied judgment against a judgment debtor or assignee of the judgment debtor of a single-member limited liability company under certain circumstances; providing that, in the case of a multimember limited liability company, certain remedies are unavailable to a judgment creditor attempting to satisfy a judgment; prohibiting a court from ordering such remedies; providing construction relating to secured creditor rights, specified principles of law and equity, and continuing enforcement jurisdiction of the court; providing legislative intent; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **CS for SB 1152** and read the second time by title.

On motion by Senator Simmons, by two-thirds vote **CS for HB 253** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

CS for SB 1192—A bill to be entitled An act relating to public records; amending s. 1004.55, F.S.; providing an exemption from public-records requirements for all records that relate to a client of a regional autism center who receives the services of a center or participates in center activities and the client’s family; providing for the release of specified confidential and exempt information by a center under certain circumstances; providing an exemption from public-records requirements for personal identifying information of a donor or prospective donor to a regional autism center if the donor or prospective donor wishes to remain anonymous; providing for review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1192**, on motion by Senator Rich, by two-thirds vote **CS for HB 579** was withdrawn from the Committees on Children, Families, and Elder Affairs; Health Regulation; and Governmental Oversight and Accountability.

On motion by Senator Rich—

CS for HB 579—A bill to be entitled An act relating to public records; amending s. 1004.55, F.S.; providing an exemption from public records requirements for all records that relate to a client of a regional autism center who receives the services of a center or participates in center activities and the client’s family; providing for release of specified confidential and exempt information by a center under certain circumstances; providing an exemption from public records requirements for personal identifying information of a donor or prospective donor to a regional autism center if such donor or prospective donor wishes to remain anonymous; providing for review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 1192** and read the second time by title.

On motion by Senator Rich, by two-thirds vote **CS for HB 579** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	
Flores	Norman	

Nays—None

CS for CS for SB 1206—A bill to be entitled An act relating to eyewitness identification; providing a short title; defining terms; requiring state, county, municipal, and other law enforcement agencies that conduct lineups to follow certain specified procedures; requiring the eyewitness to sign an acknowledgement that he or she received the instructions about the lineup procedures from the law enforcement agency; specifying remedies for failing to adhere to the eyewitness identification procedures; requiring the Criminal Justice Standards and Training Commission to create educational materials and conduct training programs on how to conduct lineups in compliance with the act; providing an effective date.

—was read the second time by title.

Senator Negron moved the following amendments which were adopted:

Amendment 1 (160176)—Delete line 72 and insert: *identity, except that this instruction need not be given when a specified and approved alternative method of neutral administration is utilized;*

Amendment 2 (484788)—Delete line 106 and insert:

Section 2. This act shall take effect October 1, 2011.

On motion by Senator Negron, further consideration of **CS for CS for SB 1206** as amended was deferred.

Consideration of **CS for SB 1300** was deferred.

CS for CS for SB 1312—A bill to be entitled An act relating to school nutrition programs; providing a short title; transferring and reassigning functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources for the administration of the school food and nutrition programs from the Department of Education to the Department of Agriculture and Consumer Services; creating s. 570.98, F.S.; requiring the Department of Agriculture and Consumer Services to conduct, supervise, and administer all school food and nutrition programs; requiring the department to cooperate fully with the United States Government; authorizing the department to act as agent of, or contract with, the Federal Government, other state agencies, or any county or municipal government for the administration of the school food and nutrition programs; transferring, renumbering, and amending s. 1006.06, F.S., relating to school food service programs; conforming provisions to changes made by the act; deleting obsolete provisions; transferring, renumbering, and amending ss. 1006.0606 and 1010.77, F.S., relating to the children’s summer nutrition program and the Food and Nutrition Services Trust Fund, respectively; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 1003.453, F.S.; requiring each school district to send an updated copy of its wellness policy and physical education policy to the Department of Education and the Department of Agriculture and Consumer Services; deleting obsolete provisions; requiring certain information to be accessible from the website of the Department of Agriculture and Consumer Services; creating the Healthy Schools for Healthy Lives Council within the Department of Agriculture and Consumer Services; requiring the Commissioner of Agriculture to appoint members of the council; providing duties of the council; providing requirements for the meetings, powers, duties, procedures, and recordkeeping of the council; requiring the Department of Education, in consultation with the Department of Agriculture and Consumer Services, to develop and submit a request for a waiver to the United States Department of Agriculture to transfer administration of the school food service and nutrition programs; requiring the Department of Education to notify the Governor and the Legislature regarding the decision of the United States Department of Agriculture; providing for contingent effect based upon federal approval of a request for a waiver; providing effective dates.

—was read the second time by title.

Senator Siplin moved the following amendments which were adopted:

Amendment 1 (651452) (with title amendment)—Between lines 57 and 58 insert:

Section 2. *The Food and Nutrition Services Trust Fund, FLAIR number 48-2-2315, in the Department of Education is transferred to the Department of Agriculture and Consumer Services, FLAIR number 42-2-2315.*

And the title is amended as follows:

Delete line 3 and insert: providing a short title; transferring the Food and Nutrition Services Trust Fund in the Department of Education to the Department of Agriculture and Consumer Services; transferring and reassigning

Amendment 2 (333254)—Delete line 244 and insert: Chapter 99-37 99-34, Laws of Florida, re-created the Food and

On motion by Senator Siplin, by two-thirds vote **CS for CS for SB 1312** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

Consideration of **CS for CS for SB 1594** was deferred.

CS for SB 1656—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; making scholarships available to students with disabilities who have a 504 accommodation plan issued under s. 504 of the federal Rehabilitation Act; allowing a parent to request and receive a scholarship for a student to enroll in and attend a private school if the student has a 504 accommodation plan; providing that students with certain temporary 504 accommodation plans are ineligible for a scholarship; requiring that the school district notify a parent of available options within 10 days after a 504 accommodation plan is issued; providing that a parent may choose to enroll the student in a public school in an adjacent district under certain conditions; providing for scholarship amounts; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1656**, on motion by Senator Wise, by two-thirds vote **CS for HB 1329** was withdrawn from the Committees on Education Pre-K - 12; and Budget.

On motion by Senator Wise—

CS for HB 1329—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; making scholarships available to students with disabilities who have a 504 accommodation plan issued under s. 504 of the federal Rehabilitation Act; allowing a parent to request and receive a scholarship for a student to enroll in and attend a private school if the student has a 504 accommodation plan; providing that students with certain temporary 504 accommodation plans are ineligible for a scholarship; requiring that the school district notify a parent of available options within 10 days after a 504 accommodation plan is issued; providing that a parent may choose to enroll the student in a public school in an adjacent district under certain conditions; providing for scholarship amounts; providing an effective date.

—a companion measure, was substituted for **CS for SB 1656** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1329** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for SB 1754—A bill to be entitled An act relating to health insurance; creating s. 624.24, F.S.; prohibiting a person from being compelled to purchase health insurance except under specified conditions; specifying that the act does not prohibit the collection of certain debts; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1754** was placed on the calendar of Bills on Third Reading.

CS for SB 1884—A bill to be entitled An act relating to consumer protection; providing definitions; prohibiting a post-transaction third-party seller from charging a consumer for a good or service sold over the Internet unless certain disclosures are made and the seller receives the informed consent of the consumer; requiring a post-transaction third-party seller to provide a simple mechanism for a consumer to cancel a purchase of a good or service and stop any recurring charges; prohibiting an initial merchant from disclosing certain account numbers of a consumer to a post-transaction third-party seller under certain circumstances; providing that a person who violates the act commits an unfair and deceptive trade practice under the Florida Deceptive and Unfair Trade Practices Act; providing an effective date.

—was read the second time by title. On motion by Senator Gaetz, by two-thirds vote **CS for SB 1884** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 1990—A bill to be entitled An act relating to the ratification of rules; ratifying a specified rule for the sole and exclusive purpose of satisfying any condition on effectiveness established by s. 120.541(3), F.S., which requires ratification of any rule that meets any of the specified thresholds that may likely have an adverse impact or excessive regulatory cost; providing an effective date.

—was read the second time by title. On motion by Senator Garcia, by two-thirds vote **SB 1990** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

SB 2168—A bill to be entitled An act relating to the ratification of rules; ratifying specified rules for the sole and exclusive purpose of satisfying any condition on effectiveness established by s. 120.541(3), F.S.,

which requires ratification of any rule that meets any of the specified thresholds that may likely have an adverse impact or excessive regulatory cost; providing an effective date.

—was read the second time by title. On motion by Senator Garcia, by two-thirds vote **SB 2168** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 2174—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; transferring, renumbering, and amending s. 215.44(8), F.S., which provides exemptions from public-records requirements for the State Board of Administration; creating s. 215.440, F.S.; specifying information that does not constitute proprietary confidential business information held by the State Board of Administration; requiring the State Board of Administration to maintain a written list of records covered under a verified, written declaration; conforming cross-references; making editorial changes; removing the scheduled repeal of the exemptions; amending s. 215.47, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 2174**, on motion by Senator Ring, by two-thirds vote **HB 7225** was withdrawn from the Committee on Governmental Oversight and Accountability.

On motion by Senator Ring—

HB 7225—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; transferring, renumbering, and amending s. 215.44(8), F.S., which provides exemptions from public records requirements for the State Board of Administration; creating s. 215.440, F.S.; specifying information that does not constitute proprietary confidential business information held by the State Board of Administration; requiring the State Board of Administration to maintain a written list of records covered under a verified, written declaration; conforming cross-references; making editorial changes; removing the scheduled repeal of the exemption; amending s. 215.47, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **SB 2174** and read the second time by title.

On motion by Senator Ring, by two-thirds vote **HB 7225** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Detert	Hill
Alexander	Diaz de la Portilla	Jones
Altman	Fasano	Latvala
Benacquisto	Flores	Lynn
Bennett	Gaetz	Margolis
Bogdanoff	Garcia	Montford
Braynon	Gardiner	Negron
Dean	Hays	Norman

Oelrich	Sachs	Thrasher
Rich	Simmons	Wise
Richter	Smith	
Ring	Storms	

Nays—2

Dockery	Joyner
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Vote after roll call:

Yea to Nay—Fasano

CS for CS for SB 178—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting certain liability and property insurance lines from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; requiring such entities to pay certain examination costs; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer's expense; requiring such entities to pay certain examination costs; amending s. 627.0651, F.S.; exempting certain commercial motor vehicle insurance from specific rate standards and filing requirements; revising certain reporting and recordkeeping requirements for such exempt insurers and certain rating organizations regarding rate changes; requiring such entities to pay certain examination costs; deleting a provision that permits the Office of Insurance Regulation of the Financial Services Commission to require such insurers to provide certain information regarding rates at the insurer's expense; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 178** to **CS for CS for HB 99**.

Pending further consideration of **CS for CS for SB 178** as amended, on motion by Senator Oelrich, by two-thirds vote **CS for CS for HB 99** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Budget.

On motion by Senator Oelrich—

CS for CS for HB 99—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting additional categories or kinds of insurance and types of commercial lines risks from being subject to certain otherwise applicable rate filing requirements; deleting a requirement that an insurer's rate change notice include total premium written for an exempt class of insurance; removing a requirement that specified types of records and information related to a rate change be retained by an insurer; requiring actuarial data regarding a rate change for an exempt class of insurance be retained by an insurer for a specified time; requiring the insurer to incur examination expenses; removing a requirement that a rating organization maintain certain statistics related to changes to loss cost for exempt classes of insurance; requiring certain actuarial data related to loss cost be retained by a rating organization for a specified time; requiring a rating organization to incur examination expenses; deleting authority for the Office of Insurance Regulation to require all necessary information from an insurer in order to evaluate a rate change; amending s. 627.0651, F.S.; expanding an exemption from certain otherwise applicable rate filing requirements to include all commercial motor vehicle insurance; deleting a requirement that a commercial motor vehicle insurer's rate change notice include total premium written; removing a requirement that specified types of records and information related to a commercial motor vehicle insurance rate change be retained by an insurer; requiring actuarial data regarding a commercial motor vehicle insurance rate change be retained by an insurer for a specified time; requiring an insurer for commercial motor vehicle insurance to incur examination expenses; removing a requirement that a rating organization maintain certain statistics related to changes to loss cost for commercial motor vehicle insurance; requiring actuarial data related to loss cost for commercial motor vehicle insurance be retained by a rating organization for a specified time; requiring a rating organization for commercial motor vehicle insurance to incur examination expenses;

deleting authority for the Office of Insurance Regulation to require all necessary information from an commercial motor vehicle insurer in order to evaluate a rate change; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 178** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 99** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 274—A bill to be entitled An act relating to road and bridge designations; designating Veterans Memorial Highway in Putnam County; designating the Duval County Law Enforcement Memorial Overpass in Duval County; designating SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr., Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; designating Mardi Gras Way, West Park Boulevard, and Pembroke Park Boulevard in Broward County; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County; designating Deputy Jack A. Romeis Road in Alachua County; designating Senator Javier D. Souto Way in Miami-Dade County; designating Nona and Papa Road in St. Johns County; designating Walter Francis Spence Parkway in Okaloosa County; designating Beaches and Rivers Parkway in Santa Rosa County; amending ss. 24 and 45 of chapter 2010-230, Laws of Florida; revising the designations for Miss Lillie Williams Boulevard and Father Gerard Jean-Juste Street in Miami-Dade County; designating Corporal Michael J. Roberts Parkway in Hillsborough County; designating the Florida Highway Patrol Trooper Sgt. Nicholas G. Sottile Memorial in Highlands County; designating Hugh Anderson Boulevard, Reverend Max Salvadore Avenue, BRIGADA 2506 STREET, Carlos Rodriguez Santana, and Reverend Jorge Comesanas Way in Miami-Dade County; designating Coach Jimmy Carnes Boulevard in Alachua County; designating Harry T. and Harriette V. Moore Memorial Highway in Brevard County; designating Elizabeth G. Means Memorial Boulevard, Louise Steward Memorial Boulevard, and Isaiah J. Williams, III, Memorial Boulevard in Duval County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 274** to **CS for HB 7213**.

Pending further consideration of **CS for CS for SB 274** as amended, on motion by Senator Lynn, by two-thirds vote **CS for HB 7213** was withdrawn from the Committees on Transportation; Budget; and Rules.

On motion by Senator Lynn, the rules were waived and—

CS for HB 7213—A bill to be entitled An act relating to road and bridge designations; designating Edna S. Hargrett-Thrower Avenue in Orange County; designating SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; designating Veterans Memorial Highway in Putnam County; designating Ben G. Watts Highway in Washington County; designating Mardi Gras Way, West Park Boulevard, and Pembroke Park Boulevard in Broward County; designating Stark Memorial Drive and Duval County Law Enforcement Memorial Overpass in Duval County; designating Verna Bell Way in Nassau County; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County; designating Dr. Oscar Elias Biscet Boulevard, Hugh Anderson Boulevard, Palmetto General Hospital Way, Senator Javier D. Souto Way, Reverend Max Salvadore Avenue, BRIGADA 2506 STREET, Carlos Rodriguez Santana, Rev. Jorge Comesanas Way, Amadeo Lopez-Castro, Jr. Road, Benjamin Leon, Jr. Way, and Miami Medical Team Way in Miami-Dade County; designating Alma Lee Loy Bridge in Indian River County; designating Samuel B. Love Memorial Highway in Marion County; designating Elvin Martinez Road in Hillsborough County; designating Whale Harbor Joe Roth Jr. Bridge in Monroe County; designating Florida Highway Patrol Trooper Sgt. Nicholas G. Sottile Memorial in Highlands County; designating Coach

Jimmy Carnes Boulevard in Alachua County; amending ss. 24 and 45, ch. 2010-230, Laws of Florida; revising the designation for Miss Lillie Williams Boulevard and Father Gerard Jean-Juste Street in Miami-Dade County; designating Tanya Martin Oubre Pekel Street in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 274** as amended and read the second time by title.

Senator Lynn moved the following amendment which was adopted:

Amendment 1 (902292) (with title amendment)—Between lines 331 and 332 insert:

Section 35. *Deputy Jack A. Romeis Road designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 26A in Gainesville, Alachua County, between West University Avenue and S.W. 25th Street, is designated “Deputy Jack A. Romeis Road.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Deputy Jack A. Romeis Road as described in subsection (1).*

Section 36. *Nona and Papa Road designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of the San Juan Road Extension in Anastasia State Park in St. Johns County is designated as “Nona and Papa Road.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Nona and Papa Road as described in subsection (1).*

Section 37. *Walter Francis Spence Parkway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 293 from U.S. 98/State Road 30 to State Road 20 in Okaloosa County is designated as “Walter Francis Spence Parkway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Walter Francis Spence Parkway as described in subsection (1).*

Section 38. *Florida’s Beaches and Rivers Parkway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Route 87 from its intersection with U.S. 98 northward to its intersection with U.S. 90 in Santa Rosa County is designated the “Florida’s Beaches and Rivers Parkway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Florida’s Beaches and Rivers Parkway as described in subsection (1).*

Section 39. *Corporal Michael J. Roberts Parkway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. 41/State Road 45/Nebraska Ave from County Road 584/Waters Avenue to State Road 580/Busch Boulevard is designated as “Corporal Michael J. Roberts Parkway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Corporal Michael J. Roberts Parkway as described in subsection (1).*

Section 40. *Harry T. and Harriette V. Moore Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of State Road 46 in Brevard County from U.S. 1 to the Volusia County line is designated as “Harry T. and Harriette V. Moore Memorial Highway.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Harry T. and Harriette V. Moore Memorial Highway as described in subsection (1).*

Section 41. *Elizabeth G. Means Memorial Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of Beaver Street in Duval County between Laura Street and Rushing Street is designated as “Elizabeth G. Means Memorial Boulevard.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Elizabeth G. Means Memorial Boulevard as described in subsection (1).*

Section 42. *Louise Steward Memorial Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. 1 Alternate/SR 115/SR 115A/Haines Street Expressway in Duval County between 8th Street and Duval Street is designated as “Louise Steward Memorial Boulevard.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Louise Steward Memorial Boulevard as described in subsection (1).*

Section 43. *Isiah J. Williams, III, Memorial Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of Edgewood Avenue in Duval County between Commonwealth Avenue and Beaver Street is designated as “Isiah J. Williams, III, Memorial Boulevard.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Isiah J. Williams, III, Memorial Boulevard as described in subsection (1).*

Section 44. *Honorary Dr. Martin Luther King, Jr., Avenue designated; Department of Transportation to erect suitable markers.—*

(1) *That portion of U.S. Highway 90 in Walton County from 5th Street to Norwood Road is designated as “Honorary Dr. Martin Luther King, Jr., Avenue.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Honorary Dr. Martin Luther King, Jr., Avenue as described in subsection (1).*

And the title is amended as follows:

Delete line 35 and insert: Street in Miami-Dade County; designating Deputy Jack A. Romeis Road in Alachua County; designating Nona and Papa Road in St. Johns County; designating Walter Francis Spence Parkway in Okaloosa County; designating Florida’s Beaches and Rivers Parkway in Santa Rosa County; designating Corporal Michael J. Roberts Parkway in Hillsborough County; designating Harry T. and Harriette V. Moore Memorial Highway in Brevard County; designating Elizabeth G. Means Memorial Boulevard, Louise Steward Memorial Boulevard, and Isiah J. Williams, III, Memorial Boulevard in Duval County; designating Honoring Dr. Martin Luther King, Jr., Avenue in Walton County; directing the Department of

On motion by Senator Lynn, by two-thirds vote **CS for HB 7213** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Ring
Braynon	Hill	Sachs
Dean	Jones	Simmons
Detert	Joyner	Siplin
Diaz de la Portilla	Latvala	Smith
Dockery	Lynn	Storms
Evers	Margolis	Thrasher
Fasano	Negron	Wise

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Flores, the rules were waived and the Senate reconsidered the vote by which—

SB 978—A bill to be entitled An act relating to individual retirement accounts; amending s. 222.21, F.S.; clarifying the exemption of inherited individual retirement accounts from legal processes; providing intent; providing for retroactive application; providing an effective date.

—passed this day.

Pending further consideration of **SB 978**, on motion by Senator Flores, by two-thirds vote **HB 469** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Budget.

On motion by Senator Flores, by two-thirds vote—

HB 469—A bill to be entitled An act relating to individual retirement accounts; amending s. 222.21, F.S.; clarifying the exemption of inherited individual retirement accounts from legal processes; providing intent; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **SB 978** and read the second time by title.

On motion by Senator Flores, by two-thirds vote **HB 469** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **SB 548, CS for CS for SB 578, SB 788, SB 850, SB 870, CS for CS for SB 890, CS for SB 1092, SB 1584, CS for SB 1676, and CS for SB 2040** were withdrawn from the Committee on Budget; **SB 688** was withdrawn from the Committee on Community Affairs; **CS for SB 1504** was withdrawn from the Committee on Criminal Justice; and **SB 494** was withdrawn from the Committee on Judiciary.

RECESS

On motion by Senator Thrasher, the Senate recessed at 11:40 a.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 1:43 p.m. A quorum present—39:

Mr. President	Altman	Bennett
Alexander	Benacquisto	Bogdanoff

Braynon	Hays	Rich
Dean	Hill	Richter
Detert	Jones	Ring
Diaz de la Portilla	Joyner	Sachs
Dockery	Latvala	Simmons
Evers	Lynn	Siplin
Fasano	Margolis	Smith
Flores	Montford	Sobel
Gaetz	Negron	Storms
Garcia	Norman	Thrasher
Gardiner	Oelrich	Wise

Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment

Secretary of Juvenile Justice
Appointee: Walters, Wansley Hancock Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment

Secretary of Environmental Protection
Appointee: Vinyard, Herschel T., Jr. Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Governmental Oversight and Accountability and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Secretary of Management Services
Appointee: Miles, John P. Pleasure of Governor

Secretary of State
Appointee: Browning, Kurt S. Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Health Regulation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Health Regulation and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment

Secretary of Health Care Administration
Appointee: Dudek, Elizabeth Pleasure of Governor

State Surgeon General
Appointee: Farmer, Harry Frank, Jr. Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Military Affairs, Space, and Domestic Security and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Military Affairs, Space, and Domestic Security and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointment:

Office and Appointment

Adjutant General of Florida National Guard
Appointee: Titshaw, Emmett R., Jr. Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Regulated Industries and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Regulated Industries and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointment:

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for CS for SB 1122, CS for SB 1590, and CS for SB 1922** were withdrawn from the Committee on Budget; and **SB 1494** was withdrawn from the Committee on Rules.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Mike Haridopolos April 29, 2011
President, The Florida Senate

Dear President Haridopolos:

The following executive appointment was referred to the Senate Committee on Children, Families, and Elder Affairs and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Children, Families, and Elder Affairs and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment

Secretary of Children and Family Services
Appointee: Wilkins, David Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Communications, Energy, and Public Utilities and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Communications, Energy, and Public Utilities and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointments:

Office and Appointment

Florida Public Service Commission		
Appointees: Balbis, Eduardo E.		01/01/2015
Brise, Ronald A.		01/01/2014
Brown, Julie I.		01/01/2015
Graham, Art		01/01/2014

The following executive appointment was referred to the Senate Committee on Community Affairs and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Community Affairs and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment

Secretary of Community Affairs
Appointee: Buzzett, William A. Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Criminal Justice and the

Office and Appointment

Secretary of the Department of the Lottery
Appointee: O'Connell, Cynthia F.

For Term Ending
Pleasure of Governor

As required by Rule 12.7(1), the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated.

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
(2) Senate action on said appointments be taken prior to the adjournment of the 2011 Regular Session; and
(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Miguel Diaz de la Portilla, Chair

On motion by Senator Diaz de la Portilla, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee. The vote was:

Yeas—37

Table with 3 columns: Name, Garcia, Rich. Includes names like Mr. President Alexander, Altman, Benacquisto, etc.

Nays—None

VOTE PREFERENCE

Senator Storms was recorded as voting "nay" on the appointment of Wansley Hancock Walters as Secretary of Juvenile Justice.

The Honorable Mike Haridopolos
President, the Florida Senate
April 29, 2011

Dear President Haridopolos:

The following executive appointment was referred to the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment

Board of Trustees, Florida International University
Appointee: Puig, Claudia 01/06/2016

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment

Table with 2 columns: Appointees, Date. Includes Alston, Torey L., Dent, Richard A. III, McWilliams, Spurgeon W., White, Karl E.

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate.

Office and Appointment

Table with 2 columns: Appointees, Date. Includes Lawson, Kelvin L., Montgomery, Rufus N., Jr., Shannon, Belinda R.

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Office and Appointment

Table with 2 columns: Appointees, Date. Includes Stillely, Robert J., Tanner, Paul C.

Table with 2 columns: Appointee, Date. Includes Burr, Edward E.

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate.

Office and Appointment

Table with 2 columns: Appointee, Date. Includes Camps, Joseph L.

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Office and Appointment

Table with 2 columns: Appointees, Date. Includes Catti, Joseph R., Wells, Robert A. III.

Table with 2 columns: Appointee, Date. Includes Maury, Albert R.

Table with 2 columns: Appointees, Date. Includes Coleman, Audrey R., Ruiz, Mary.

Table with 2 columns: Appointees, Date. Includes Goforth, Stephanie E., Saco, Louis S.

Board of Trustees, University of West Florida

Office and Appointment
 Appointee: O'Sullivan, John Mortimer III
For Term Ending
 01/06/2015

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate. The Senate Committee on Higher Education was removed as a reference. The Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointment.

Office and Appointment
 Board of Trustees, University of West Florida
 Appointee: O'Connor, Susan K.
For Term Ending
 01/06/2016

As required by Rule 12.7(1), the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Rules Subcommittee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2011 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
 Miguel Diaz de la Portilla, Chair

On motion by Senator Diaz de la Portilla, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee. The vote was:

Yeas—37

Mr. President	Garcia	Rich
Alexander	Gardiner	Richter
Altman	Hays	Ring
Benacquisto	Hill	Sachs
Bennett	Jones	Simmons
Bogdanoff	Joyner	Siplin
Braynon	Latvala	Smith
Dean	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	
Gaetz	Oelrich	

Nays—None

The Honorable Mike Haridopolos
 President, the Florida Senate
 April 29, 2011

Dear President Haridopolos:

The following executive appointments were referred to the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment
 Florida State Boxing Commission
 Appointee: Curry, Leonard B.
For Term Ending
 09/30/2013

Office and Appointment
 Education Practices Commission
 Appointees: Farmer, Diane A. 09/30/2013
 Hale, Susan 09/30/2012
 McCray, Katrina E. 09/30/2014

Commission on Ethics
 Appointee: Robison, Linda M., Esquire 06/30/2011

Governor's Mansion Commission
 Appointees: Aurell, Jane C. 09/30/2013
 Graham, Adele K. 09/30/2013
 Mullican, Susan H. 09/30/2011

Board of Medicine
 Appointees: Orr, James W., Jr. 10/31/2014
 Stringer, Merle P. 10/31/2013
 Thomas, George 10/31/2014

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Rules Subcommittee on Ethics and Elections considered and recommended the confirmation of the following executive appointment:

Office and Appointment
 Governing Board of the Northwest Florida Water Management District
 Appointee: Roberts, George 03/01/2014

The following executive appointments were referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Governmental Oversight and Accountability was removed as a reference. The Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment
 Investment Advisory Council
 Appointees: Garcia, Martin L., Esquire 02/01/2015
 Newman, Charles W. 02/01/2015

The following executive appointments were referred to the Senate Committee on Transportation and the Senate Rules Subcommittee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Transportation was removed as a reference. The Senate Rules Subcommittee on Ethics and Elections considered and recommended the following executive appointments:

Office and Appointment
 Florida Transportation Commission
 Appointees: Marono, Manuel L. 09/30/2011
 Trumbull, Jay N. 09/30/2011

As required by Rule 12.7(1), the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Rules Subcommittee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2011 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Miguel Diaz de la Portilla, Chair

On motion by Senator Diaz de la Portilla, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee. The vote was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

SPECIAL ORDER CALENDAR

CS for CS for SB 1594—A bill to be entitled An act relating to pari-mutuel permitholders; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder is not required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; providing an extended period to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; revising provisions for transfer by a permitholder of a tax exemption or license fee credit to a greyhound permitholder; amending s. 550.09514, F.S.; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending s. 550.105, F.S.; limiting the taxes that may be imposed on a person who conducts simulcasts, intertrack wagering, or cardroom games if the facility does not have an existing agreement with the municipality; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license; providing that neither a corresponding pari-mutuel license application nor a minimum number of live performances is required for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

—was read the second time by title.

On motion by Senator Sachs, further consideration of **CS for CS for SB 1594** was deferred.

The Senate resumed consideration of—

CS for CS for SB 1206—A bill to be entitled An act relating to eyewitness identification; providing a short title; defining terms; requiring state, county, municipal, and other law enforcement agencies that conduct lineups to follow certain specified procedures; requiring the eyewitness to sign an acknowledgement that he or she received the instructions about the lineup procedures from the law enforcement agency; specifying remedies for failing to adhere to the eyewitness identification procedures; requiring the Criminal Justice Standards and Training Commission to create educational materials and conduct training pro-

grams on how to conduct lineups in compliance with the act; providing an effective date.

—which was previously considered and amended this day.

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

On motions by Senator Negron, by two-thirds vote **CS for CS for SB 1206** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—34

Mr. President	Garcia	Richter
Altman	Gardiner	Ring
Benacquisto	Hays	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	
Gaetz	Rich	

Nays—5

Alexander	Dockery	Oelrich
Dean	Lynn	

RECESS

The President declared the Senate in informal recess at 2:07 p.m. to reconvene upon call of the President.

CALL TO ORDER

The Senate was called to order by the President at 2:52 p.m. A quorum present.

The Senate resumed consideration of—

CS for CS for SB 1594—A bill to be entitled An act relating to pari-mutuel permitholders; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder is not required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; providing an extended period to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; revising provisions for transfer by a permitholder of a tax exemption or license fee credit to a greyhound permitholder; amending s. 550.09514, F.S.; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending s. 550.105, F.S.; limiting the taxes that may be imposed on a person who conducts simulcasts, intertrack wagering, or cardroom games if the facility does not have an existing agreement with the municipality; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license; providing that neither a corresponding pari-mutuel license application nor a minimum number of live performances is required for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

—which was previously considered this day.

Amendments were considered and adopted to conform **CS for CS for SB 1594** to **CS for CS for CS for HB 1145**.

Pending further consideration of **CS for CS for SB 1594** as amended, on motion by Senator Sachs, by two-thirds vote **CS for CS for CS for HB 1145** was withdrawn from the Committees on Regulated Industries; and Budget Subcommittee on Finance and Tax.

On motion by Senator Sachs—

CS for CS for CS for HB 1145—A bill to be entitled An act relating to greyhound racing; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder shall not be required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; extending the period of time allowed to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; deleting provisions relating to transfer of certain unused exemptions or credits; amending s. 550.09514, F.S.; providing for transfer of certain unused exemptions or credits; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.475, F.S., relating to lease of pari-mutuel facilities by pari-mutuel permitholders; revising terminology to conform to changes made by the act; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license to a greyhound permitholder; providing that a minimum number of requested or conducted live performances is not required in order for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1594** as amended and read the second time by title.

MOTION

On motion by Senator Sachs, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Sachs moved the following amendment which was adopted:

Amendment 1 (295170) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (11) of section 550.002, Florida Statutes, is amended to read:

550.002 Definitions.—As used in this chapter, the term:

(11) “Full schedule of live racing or games” means, for a greyhound or jai alai permitholder, the conduct of a combination of at least 100 live evening or matinee performances during the preceding year; for a permitholder who has a converted permit or filed an application on or before June 1, 1990, for a converted permit, the conduct of a combination of at least 100 live evening and matinee wagering performances during either of the 2 preceding years; for a jai alai permitholder who does not operate slot machines in its pari-mutuel facility, who has conducted at least 100 live performances per year for at least 10 years after December 31, 1992, and whose handle on live jai alai games conducted at its pari-mutuel facility has been less than \$4 million per state fiscal year for at least 2 consecutive years after June 30, 1992, the conduct of a combination of at least 40 live evening or matinee performances during the preceding year; for a jai alai permitholder who operates slot machines in its pari-mutuel facility, the conduct of a combination of at least 150 performances during the preceding year; for a harness permitholder, the conduct of at least 100 live regular wagering performances during the preceding year; for a quarter horse permitholder at its facility unless an alternative schedule of at least 20 live regular wagering performances is agreed upon by the permitholder and either the Florida Quarter Horse Racing Association or the horsemen’s association representing the majority of the quarter horse owners and trainers at the facility and filed with the division along with its annual date application, in the 2010-2011 fiscal year, the con-

duct of at least 20 regular wagering performances, in the 2011-2012 and 2012-2013 fiscal years, the conduct of at least 30 live regular wagering performances, and for every fiscal year after the 2012-2013 fiscal year, the conduct of at least 40 live regular wagering performances; for a quarter horse permitholder leasing another licensed racetrack, the conduct of 160 events at the leased facility; and for a thoroughbred permitholder, the conduct of at least 40 live regular wagering performances during the preceding year. For a permitholder which is restricted by statute to certain operating periods within the year when other members of its same class of permit are authorized to operate throughout the year, the specified number of live performances which constitute a full schedule of live racing or games shall be adjusted pro rata in accordance with the relationship between its authorized operating period and the full calendar year and the resulting specified number of live performances shall constitute the full schedule of live games for such permitholder and all other permitholders of the same class within 100 air miles of such permitholder. A live performance must consist of no fewer than eight races or games conducted live for each of a minimum of three performances each week at the permitholder’s licensed facility under a single admission charge. *Notwithstanding any other provision of law, beginning with the 2011-2012 fiscal year, there shall be no minimum requirement of live performances for greyhound permitholders.*

Section 2. Subsection (1) of section 550.01215, Florida Statutes, is amended to read:

550.01215 License application; periods of operation; bond, conversion of permit.—

(1) Each permitholder shall annually, during the period between December 15 and January 4, file in writing with the division its application for a license to conduct *pari-mutuel wagering activities* ~~performances~~ during the next state fiscal year. Each application *requesting live performances, if any*, shall specify the number, dates, and starting times of all performances which the permitholder intends to conduct. It shall also specify which performances will be conducted as charity or scholarship performances. In addition, each application for a license shall include, for each permitholder which elects to operate a cardroom, the dates and periods of operation the permitholder intends to operate the cardroom or, for each thoroughbred permitholder which elects to receive or rebroadcast out-of-state races after 7 p.m., the dates for all performances which the permitholder intends to conduct. *A greyhound permitholder may receive a license to conduct pari-mutuel wagering activities at a licensed greyhound facility pursuant to s. 550.475.* ~~Permitholders may be required to amend their applications through February 28 or, for applications by greyhound permitholders relating to the 2011-2012 fiscal year, through August 31, 2011.~~

Section 3. Paragraph (b) of subsection (14) of section 550.054, Florida Statutes, is amended to read:

550.054 Application for permit to conduct pari-mutuel wagering.—

(14)

(b) The division, upon application from the holder of a jai alai permit meeting all conditions of this section, shall convert the permit and shall issue to the permitholder a permit to conduct greyhound racing. ~~A permitholder of a permit converted under this section shall be required to apply for and conduct a full schedule of live racing each fiscal year to be eligible for any tax credit provided by this chapter.~~ The holder of a permit converted pursuant to this subsection or any holder of a permit to conduct greyhound racing located in a county in which it is the only permit issued pursuant to this section who operates at a leased facility pursuant to s. 550.475 may move the location for which the permit has been issued to another location within a 30-mile radius of the location fixed in the permit issued in that county, provided the move does not cross the county boundary and such location is approved under the zoning regulations of the county or municipality in which the permit is located, and upon such relocation may use the permit for the conduct of pari-mutuel wagering and the operation of a cardroom. The provisions of s. 550.6305(9)(d) and (f) shall apply to any permit converted under this subsection and shall continue to apply to any permit which was previously included under and subject to such provisions before a conversion pursuant to this section occurred.

Section 4. Subsection (1) and paragraph (c) of subsection (3) of section 550.0951, Florida Statutes, are amended to read:

550.0951 Payment of daily license fee and taxes; penalties.—

(1)(a) DAILY LICENSE FEE.—Each person engaged in the business of conducting race meetings or jai alai games under this chapter, hereinafter referred to as the “permitholder,” “licensee,” or “permittee,” shall pay to the division, for the use of the division, a daily license fee on each live or simulcast pari-mutuel event of \$100 for each horserace and \$80 for each dograce and \$40 for each jai alai game conducted at a racetrack or fronton licensed under this chapter. In addition to the tax exemption specified in s. 550.09514(1) of \$360,000 or \$500,000 per greyhound permitholder per state fiscal year, each greyhound permitholder shall receive in the current state fiscal year a tax credit equal to the number of live greyhound races conducted in the previous state fiscal year times the daily license fee specified for each dograce in this subsection applicable for the previous state fiscal year. This tax credit and the exemption in s. 550.09514(1) shall be applicable to any tax imposed by this chapter or the daily license fees imposed by this chapter except during any charity or scholarship performances conducted pursuant to s. 550.0351. Each permitholder shall pay daily license fees not to exceed \$500 per day on any simulcast races or games on which such permitholder accepts wagers regardless of the number of out-of-state events taken or the number of out-of-state locations from which such events are taken. This license fee shall be deposited with the Chief Financial Officer to the credit of the Pari-mutuel Wagering Trust Fund.

(b) Each permitholder that cannot utilize the full amount of the exemption of \$360,000 or \$500,000 provided in s. 550.09514(1) or the daily license fee credit provided in this section may, *at any time* after notifying the division in writing, ~~elect once per state fiscal year~~ on a form provided by the division, *elect* to transfer such exemption or credit or any portion thereof to any greyhound permitholder which acts as a host track to such permitholder for the purpose of intertrack wagering. *Notwithstanding any other provision of law, the exemption of \$360,000 or \$500,000 provided in s. 550.09514(1), for each greyhound permitholder that does not conduct live racing shall be pooled for distribution to eligible greyhound permitholders in the current fiscal year and any portion of the exemptions provided in s. 550.09514(1) unused or not transferred by each greyhound permitholder that elects to conduct live racing shall be pooled for distribution to eligible greyhound permitholders in the following fiscal year. Each greyhound permitholder conducting at least 100 live performances of at least eight races during a fiscal year shall be eligible for an additional tax credit from the pool in an amount equal to the product of the respective permitholder's percentage share of live and intertrack wagering handle, excluding the live and intertrack wagering handle of permitholders that do not conduct live racing during the year in which the credits are distributed under subsection (3) during the preceding fiscal year and the total value of tax credits available in the pool. A greyhound permitholder conducting live racing shall use the credits provided in paragraph (a) and s. 550.1647 prior to the exemptions provided in s. 550.09514(1) for purposes of calculating the amount of unused exemptions. Once an election to transfer such exemption or credit is filed with the division, it shall not be rescinded. The division shall disapprove the transfer when the amount of the exemption or credit or portion thereof is unavailable to the transferring permitholder for any reason, including being unavailable because the transferring permitholder did not conduct at least 100 live performances of at least eight races during the fiscal year, or when the permitholder who is entitled to transfer the exemption or credit or who is entitled to receive the exemption or credit owes taxes to the state pursuant to a deficiency letter or administrative complaint issued by the division. Upon approval of the transfer by the division, the transferred tax exemption or credit shall be effective for the first performance of the next payment period as specified in subsection (5). The exemption or credit transferred to such host track may be applied by such host track against any taxes imposed by this chapter or daily license fees imposed by this chapter. The greyhound permitholder host track to which such exemption or credit is transferred shall reimburse such permitholder the exact monetary value of such transferred exemption or credit as actually applied against the taxes and daily license fees of the host track. The division shall ensure that all transfers of exemption or credit are made in accordance with this subsection and shall have the authority to adopt rules to ensure the implementation of this section.*

(c) *A greyhound permitholder that conducts at least 100 live performances of at least eight races during each of the 5 years after July 1, 2011;*

that subsequently elects to not conduct live racing; and that served as a host track for intertrack wagering in each of the 10 years preceding its election to not conduct live racing, or was converted pursuant to s. 550.054(14), is entitled to an annual tax credit for each year the greyhound permitholder conducted live racing after July 1, 2011, not to exceed 10 years, in an amount equal to the average tax credit received by the greyhound permitholder pursuant to paragraph (b) during the 3 years preceding the greyhound permitholder's election to not conduct live racing. The tax credit provided under this paragraph shall be deducted from the pool pursuant to paragraph (b) and may be applied against any taxes or fees imposed by this chapter or any taxes or fees imposed by s. 549.086.

(3) TAX ON HANDLE.—Each permitholder shall pay a tax on contributions to pari-mutuel pools, the aggregate of which is hereinafter referred to as “handle,” on races or games conducted by the permitholder. The tax is imposed daily and is based on the total contributions to all pari-mutuel pools conducted during the daily performance. If a permitholder conducts more than one performance daily, the tax is imposed on each performance separately.

(c1). The tax on handle for intertrack wagering is 2.0 percent of the handle if the host track is a horse track, 3.3 percent if the host track is a harness track, 5.5 percent if the host track is a dog track, and 7.1 percent if the host track is a jai alai fronton. The tax on handle for intertrack wagering is 0.5 percent if the host track and the guest track are thoroughbred permitholders or if the guest track is located outside the market area of the host track and within the market area of a thoroughbred permitholder currently conducting a live race meet. The tax on handle for intertrack wagering on rebroadcasts of simulcast thoroughbred horseraces is 2.4 percent of the handle and 1.5 percent of the handle for intertrack wagering on rebroadcasts of simulcast harness horseraces. The tax shall be deposited into the Pari-mutuel Wagering Trust Fund.

2. The tax on handle for intertrack wagers accepted by any dog track located in an area of the state in which there are only three permitholders, all of which are greyhound permitholders, located in three contiguous counties, from any greyhound permitholder also located within such area or any dog track or jai alai fronton located as specified in s. 550.615(6) or (8) (9), on races or games received from the same class of permitholder located within the same market area is 3.9 percent if the host facility is a greyhound permitholder and, if the host facility is a jai alai permitholder, the rate shall be 6.1 percent except that it shall be 2.3 percent on handle at such time as the total tax on intertrack handle paid to the division by the permitholder during the current state fiscal year exceeds the total tax on intertrack handle paid to the division by the permitholder during the 1992-1993 state fiscal year.

Section 5. Paragraphs (b), (c), and (e) of subsection (2) of section 550.09514, Florida Statutes, are amended to read:

550.09514 Greyhound dogracing taxes; purse requirements.—

(2)

(b) Except as otherwise set forth herein, in addition to the minimum purse percentage required by paragraph (a), each permitholder *conducting live racing during a fiscal year* shall pay as purses an annual amount equal to 75 percent of the daily license fees paid by each permitholder for the 1994-1995 fiscal year. This purse supplement shall be disbursed weekly during the permitholder's race meet in an amount determined by dividing the annual purse supplement by the number of performances approved for the permitholder pursuant to its annual license and multiplying that amount by the number of performances conducted each week. ~~For the greyhound permitholders in the county where there are two greyhound permitholders located as specified in s. 550.615(6), such permitholders shall pay in the aggregate an amount equal to 75 percent of the daily license fees paid by such permitholders for the 1994-1995 fiscal year. These permitholders shall be jointly and severally liable for such purse payments. The additional purses provided by this paragraph must be used exclusively for purses other than stakes. The division shall conduct audits necessary to ensure compliance with this section.~~

(c1). Each greyhound permitholder when conducting at least three live performances during any week shall pay purses in that week on wagers it accepts as a guest track on intertrack and simulcast greyhound

racers at the same rate as it pays on live races. Each greyhound permitholder when conducting at least three live performances during any week shall pay purses in that week, at the same rate as it pays on live races, on wagers accepted on greyhound races at a guest track which is not conducting live racing and is located within the same market area as the greyhound permitholder conducting at least three live performances during any week.

2. Each host greyhound permitholder shall pay purses on its simulcast and intertrack broadcasts of greyhound races to guest facilities that are located outside its market area in an amount equal to one quarter of an amount determined by subtracting the transmission costs of sending the simulcast or intertrack broadcasts from an amount determined by adding the fees received for greyhound simulcast races plus 3 percent of the greyhound intertrack handle at guest facilities that are located outside the market area of the host and that paid contractual fees to the host for such broadcasts of greyhound races. *For guest greyhound permitholders not conducting live racing during a fiscal year and not subject to the purse requirements in subparagraph 1., 3 percent of the greyhound intertrack handle shall be paid to the host greyhound permitholder for payment of purses at the host track.*

(e) In addition to the purse requirements of paragraphs (a)-(c), each greyhound permitholder shall pay as purses an amount equal to one-third of the amount of the tax reduction on live and simulcast handle applicable to such permitholder as a result of the reductions in tax rates provided by this act through the amendments to s. 550.0951(3) in chapter 2000-354, Laws of Florida. With respect to intertrack wagering when the host and guest tracks are greyhound permitholders not within the same market area, an amount equal to the tax reduction applicable to the guest track handle as a result of the reduction in tax rates ~~rate~~ provided by this act through the amendments ~~amendment~~ to s. 550.0951(3) in chapter 2000-354, Laws of Florida, shall be distributed to the guest track, one-third of which amount shall be paid as purses at the guest tracks conducting live racing ~~track~~. However, if the guest track is a greyhound permitholder within the market area of the host or if the guest track is not a greyhound permitholder, an amount equal to such tax reduction applicable to the guest track handle shall be retained by the host track, one-third of which amount shall be paid as purses at the host track. These purse funds shall be disbursed in the week received if the permitholder conducts at least one live performance during that week. If the permitholder does not conduct at least one live performance during the week in which the purse funds are received, the purse funds shall be disbursed weekly during the permitholder's next race meet in an amount determined by dividing the purse amount by the number of performances approved for the permitholder pursuant to its annual license, and multiplying that amount by the number of performances conducted each week. The division shall conduct audits necessary to ensure compliance with this paragraph.

Section 6. Subsection (9) of section 550.105, Florida Statutes, is amended to read:

550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines.—

(9) The tax imposed by this section is in lieu of all license, excise, or occupational taxes to the state or any county, municipality, or other political subdivision, except that, if a race meeting or game is held or conducted in a municipality, the municipality may assess and collect an additional tax against any person conducting live racing or games within its corporate limits, which tax may not exceed \$150 per day for horseracing or \$50 per day for dogracing, simulcasts, intertrack wagering, cardroom games, or jai alai, up to the maximum of 100 days for dogracing facilities. This tax may be levied on simulcasts, intertrack wagering, and cardroom games only to the extent that the facility does not have an existing agreement with the municipality. Except as provided in this chapter, a municipality may not assess or collect any additional excise or revenue tax against any person conducting race meetings within the corporate limits of the municipality or against any patron of any such person.

Section 7. Subsection (1) of section 550.26165, Florida Statutes, is amended to read:

550.26165 Breeders' awards.—

(1) The purpose of this section is to encourage the agricultural activity of breeding and training racehorses in this state. Moneys dedicated in this chapter for use as breeders' awards and stallion awards are to be used for awards to breeders of registered Florida-bred horses winning horseraces and for similar awards to the owners of stallions who sired Florida-bred horses winning stakes races, if the stallions are registered as Florida stallions standing in this state. Such awards shall be given at a uniform rate to all winners of the awards, shall not be greater than 20 percent of the announced gross purse, and shall not be less than 15 percent of the announced gross purse if funds are available. In addition, no less than 17 percent nor more than 40 percent, as determined by the Florida Thoroughbred Breeders' Association, of the moneys dedicated in this chapter for use as breeders' awards and stallion awards for thoroughbreds shall be returned pro rata to the permitholders that generated the moneys for special racing awards to be distributed by the permitholders to owners of thoroughbred horses participating in prescribed thoroughbred stakes races, nonstakes races, or both, all in accordance with a written agreement establishing the rate, procedure, and eligibility requirements for such awards entered into by the permitholder, the Florida Thoroughbred Breeders' Association, and the Florida Horsemen's Benevolent and Protective Association, Inc., except that the plan for the distribution by any permitholder located in the area described in s. 550.615(8) ~~s. 550.615(9)~~ shall be agreed upon by that permitholder, the Florida Thoroughbred Breeders' Association, and the association representing a majority of the thoroughbred racehorse owners and trainers at that location. Awards for thoroughbred races are to be paid through the Florida Thoroughbred Breeders' Association, and awards for standardbred races are to be paid through the Florida Standardbred Breeders and Owners Association. Among other sources specified in this chapter, moneys for thoroughbred breeders' awards will come from the 0.955 percent of handle for thoroughbred races conducted, received, broadcast, or simulcast under this chapter as provided in s. 550.2625(3). The moneys for quarter horse and harness breeders' awards will come from the breaks and uncashed tickets on live quarter horse and harness racing performances and 1 percent of handle on intertrack wagering. The funds for these breeders' awards shall be paid to the respective breeders' associations by the permitholders conducting the races.

Section 8. Section 550.475, Florida Statutes, is amended to read:

550.475 Lease of pari-mutuel facilities by pari-mutuel permitholders.—Holders of valid pari-mutuel permits for the conduct of any jai alai games, dogracing, or thoroughbred and standardbred horse racing in this state are entitled to lease any and all of their facilities to any other holder of a same class valid pari-mutuel permit for jai alai games, dogracing, or thoroughbred or standardbred horse racing, when located within a 35-mile radius of each other; and such lessee is entitled to a ~~permit and~~ license to operate its race meet or jai alai games at the leased premises.

Section 9. Section 550.615, Florida Statutes, is amended to read:

550.615 Intertrack wagering.—

(1) Any horserace permitholder licensed under this chapter which has conducted a full schedule of live racing may, at any time, receive broadcasts of horseraces and accept wagers on horseraces conducted by horserace permitholders licensed under this chapter at its facility.

(2) A ~~Any~~ track or fronton licensed under this chapter ~~which conducted a full schedule of live racing or games which~~ in the preceding year, any greyhound permitholder that has held an annual license to conduct pari-mutuel wagering activities in each of the preceding 10 years, or any greyhound permitholder converted pursuant to s. 550.054(14) ~~conducted a full schedule of live racing~~ is qualified to, at any time, receive broadcasts of any class of pari-mutuel race or game and accept wagers on such races or games conducted by any class of permitholders licensed under this chapter.

(3) If a permitholder elects to broadcast its signal to any permitholder in this state, any permitholder that is eligible to conduct intertrack wagering under the provisions of ss. 550.615-550.6345 is entitled to receive the broadcast and conduct intertrack wagering under this section; provided, however, that the host track may require a guest track within 25 miles of another permitholder to receive in any week at least 60 percent of the live races that the host track is making available on the days that the guest track is otherwise operating live races or

games. A host track may require a guest track not operating live races or games and within 25 miles of another permitholder to accept within any week at least 60 percent of the live races that the host track is making available. A person may not restrain or attempt to restrain any permitholder that is otherwise authorized to conduct intertrack wagering from receiving the signal of any other permitholder or sending its signal to any permitholder.

(4) In no event shall any intertrack wager be accepted on the same class of live races or games of any permitholder without the written consent of such operating permitholders conducting the same class of live races or games if the guest track is within the market area of such operating permitholder. A *greyhound permitholder licensed under chapter 551 which accepts intertrack wagers on live greyhound signals is not required to obtain the written consent required pursuant to this subsection from any operating greyhound permitholder within its market area.*

(5) No permitholder within the market area of the host track shall take an intertrack wager on the host track without the consent of the host track.

(6) Notwithstanding the provisions of subsection (3), in any area of the state where there are three or more horserace permitholders within 25 miles of each other, intertrack wagering between permitholders in said area of the state shall only be authorized under the following conditions: Any permitholder, other than a thoroughbred permitholder, may accept intertrack wagers on races or games conducted live by a permitholder of the same class or any harness permitholder located within such area and any harness permitholder may accept wagers on games conducted live by any jai alai permitholder located within its market area and from a jai alai permitholder located within the area specified in this subsection when no jai alai permitholder located within its market area is conducting live jai alai performances; any greyhound or jai alai permitholder may receive broadcasts of and accept wagers on any permitholder of the other class provided that a permitholder, other than the host track, of such other class is not operating a contemporaneous live performance within the market area.

~~(7) In any county of the state where there are only two permits, one for dogracing and one for jai alai, no intertrack wager may be taken during the period of time when a permitholder is not licensed to conduct live races or games without the written consent of the other permitholder that is conducting live races or games. However, if neither permitholder is conducting live races or games, either permitholder may accept intertrack wagers on horseraces or on the same class of races or games, or on both horseraces and the same class of races or games as is authorized by its permit.~~

~~(7)(8) In any three contiguous counties of the state where there are only three permitholders, all of which are greyhound permitholders, if any greyhound permitholder leases the facility of another greyhound permitholder for the purpose of conducting all or any portion of the conduct of its live race meet pursuant to s. 550.475, such lessee may conduct intertrack wagering at its pre-lease permitted facility throughout the entire year, including while its race live meet is being conducted at the leased facility, if such permitholder has conducted a full schedule of live racing during the preceding fiscal year at its pre-lease permitted facility or at a leased facility, or combination thereof.~~

~~(8)(9) In any two contiguous counties of the state in which there are located only four active permits, one for thoroughbred horse racing, two for greyhound dogracing, and one for jai alai games, no intertrack wager may be accepted on the same class of live races or games of any permitholder without the written consent of such operating permitholders conducting the same class of live races or games if the guest track is within the market area of such operating permitholder.~~

~~(9)(10) All costs of receiving the transmission of the broadcasts shall be borne by the guest track; and all costs of sending the broadcasts shall be borne by the host track.~~

Section 10. Paragraph (g) of subsection (9) of section 550.6305, Florida Statutes, is amended to read:

550.6305 Intertrack wagering; guest track payments; accounting rules.—

(9) A host track that has contracted with an out-of-state horse track to broadcast live races conducted at such out-of-state horse track pursuant to s. 550.3551(5) may broadcast such out-of-state races to any guest track and accept wagers thereon in the same manner as is provided in s. 550.3551.

(g)1. Any thoroughbred permitholder which accepts wagers on a simulcast signal must make the signal available to any permitholder that is eligible to conduct intertrack wagering under the provisions of ss. 550.615-550.6345.

2. Any thoroughbred permitholder which accepts wagers on a simulcast signal received after 6 p.m. must make such signal available to any permitholder that is eligible to conduct intertrack wagering under the provisions of ss. 550.615-550.6345, including any permitholder located as specified in s. 550.615(6). Such guest permitholders are authorized to accept wagers on such simulcast signal, notwithstanding any other provision of this chapter to the contrary.

3. Any thoroughbred permitholder which accepts wagers on a simulcast signal received after 6 p.m. must make such signal available to any permitholder that is eligible to conduct intertrack wagering under the provisions of ss. 550.615-550.6345, including any permitholder located as specified in s. 550.615(8) ~~s. 550.615(9)~~. Such guest permitholders are authorized to accept wagers on such simulcast signals for a number of performances not to exceed that which constitutes a full schedule of live races for a quarter horse permitholder pursuant to s. 550.002(11), notwithstanding any other provision of this chapter to the contrary, except that the restrictions provided in s. 550.615(8)(a) ~~s. 550.615(9)(a)~~ apply to wagers on such simulcast signals.

No thoroughbred permitholder shall be required to continue to rebroadcast a simulcast signal to any in-state permitholder if the average per performance gross receipts returned to the host permitholder over the preceding 30-day period were less than \$100. Subject to the provisions of s. 550.615(4), as a condition of receiving rebroadcasts of thoroughbred simulcast signals under this paragraph, a guest permitholder must accept intertrack wagers on all live races conducted by all then-operating thoroughbred permitholders.

Section 11. Paragraph (c) of subsection (4) of section 551.104, Florida Statutes, is amended to read:

551.104 License to conduct slot machine gaming.—

(4) As a condition of licensure and to maintain continued authority for the conduct of slot machine gaming, the slot machine licensee shall:

(c) Conduct no fewer than a full schedule of live racing or games as defined in s. 550.002(11), *except for holders of greyhound permits that do not have a live racing requirement*. A permitholder's responsibility to conduct such number of live races or games shall be reduced by the number of races or games that could not be conducted due to the direct result of fire, war, hurricane, or other disaster or event beyond the control of the permitholder.

Section 12. Subsections (2) and (4) of section 551.114, Florida Statutes, are amended to read:

551.114 Slot machine gaming areas.—

(2) The slot machine licensee shall display pari-mutuel races or games within the designated slot machine gaming areas and offer patrons within the designated slot machine gaming areas the ability to engage in pari-mutuel wagering on *any* live, intertrack, and simulcast races conducted or offered to patrons of the licensed facility.

(4) Designated slot machine gaming areas may be located within the current live gaming facility or in an existing building that must be contiguous and connected to the live gaming facility, *if applicable*. If a designated slot machine gaming area is to be located in a building that is to be constructed, that new building must be contiguous and connected to the live gaming facility.

Section 13. Paragraphs (a) and (b) of subsection (5) and paragraph (d) of subsection (13) of section 849.086, Florida Statutes, are amended to read:

849.086 Cardrooms authorized.—

(5) LICENSE REQUIRED; APPLICATION; FEES.—No person may operate a cardroom in this state unless such person holds a valid cardroom license issued pursuant to this section.

(a) Only those persons holding a valid cardroom license issued by the division may operate a cardroom. A cardroom license may only be issued to a licensed pari-mutuel permitholder and an authorized cardroom may only be operated at the same facility at which the permitholder is authorized under its valid pari-mutuel wagering permit to conduct pari-mutuel wagering activities. An initial cardroom license shall be issued to a pari-mutuel permitholder only after its facilities are in place and after it conducts its first day of live racing or games or, for a greyhound permitholder, only after it has conducted a full schedule of live racing in each of the preceding 10 years or after it was converted pursuant to s. 550.054(14). A new cardroom license may not be issued in an area unless the local government has approved of such activity within its boundaries in accordance with subsection (16).

(b) After the initial cardroom license is granted, the application for the annual license renewal shall be made in conjunction with the applicant's annual application for its pari-mutuel license. If a permitholder has operated a cardroom during any of the 3 previous fiscal years and fails to include a renewal request for the operation of the cardroom in its annual application for license renewal, the permitholder may amend its annual application to include operation of the cardroom. Except for greyhound permitholders, in order for a cardroom license to be renewed the applicant must have requested, as part of its pari-mutuel annual license application, to conduct at least 90 percent of the total number of live performances conducted by such permitholder during either the state fiscal year in which its initial cardroom license was issued or the state fiscal year immediately prior thereto if the permitholder ran at least a full schedule of live racing or games in the prior year. If the application is for a harness permitholder cardroom, the applicant must have requested authorization to conduct a minimum of 140 live performances during the state fiscal year immediately prior thereto. If more than one permitholder is operating at a facility, each permitholder must have applied for a license to conduct a full schedule of live racing. However, a minimum number of requested or conducted live performances is not required for a greyhound permitholder to maintain or renew a cardroom license.

(13) TAXES AND OTHER PAYMENTS.—

(d)1. Each greyhound and jai alai permitholder that operates a cardroom facility shall use at least 4 percent of such permitholder's cardroom monthly gross receipts to supplement greyhound purses if live racing is conducted during a fiscal year, or jai alai prize money, respectively, during the permitholder's current or next ensuing pari-mutuel meet.

2. Each thoroughbred and harness horse racing permitholder that operates a cardroom facility shall use at least 50 percent of such permitholder's cardroom monthly net proceeds as follows: 47 percent to supplement purses and 3 percent to supplement breeders' awards during the permitholder's next ensuing racing meet.

3. No cardroom license or renewal thereof shall be issued to an applicant holding a permit under chapter 550 to conduct pari-mutuel wagering meets of quarter horse racing unless the applicant has on file with the division a binding written agreement between the applicant and the Florida Quarter Horse Racing Association or the association representing a majority of the horse owners and trainers at the applicant's eligible facility, governing the payment of purses on live quarter horse races conducted at the licensee's pari-mutuel facility. The agreement governing purses may direct the payment of such purses from revenues generated by any wagering or gaming the applicant is authorized to conduct under Florida law. All purses shall be subject to the terms of chapter 550.

Section 14. This act does not authorize gambling activity beyond what is provided for under current law as of March 1, 2011.

Section 15. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to greyhound racing; amending s. 550.002, F.S.;

revising the definition of the term "full schedule of live racing or games"; prohibiting a minimum requirement of live performances for greyhound permitholders; amending s. 550.01215, F.S.; revising the requirements for an application for a license to conduct performances; extending the period of time allowed to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; revising provisions relating to a transfer by a permitholder of a tax exemption or license fee credit to a greyhound permitholder; revising provisions relating to the tax on handle for dogracing and intertrack wagering; conforming a cross-reference; amending s. 550.09514, F.S.; revising provisions relating to the purse requirements for greyhound racing and for the payment of purses; amending s. 550.105, F.S.; revising provisions relating to municipal taxes for dogracing facilities; amending s. 550.26165, F.S.; conforming a cross-reference to changes made by the act; amending s. 550.475, F.S.; revising provisions relating to the leasing of pari-mutuel facilities by pari-mutuel permitholders; amending s. 550.615, F.S.; revising provisions relating to intertrack wagering; amending s. 550.6305, F.S.; conforming cross-references; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising the requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising the requirements for initial and renewal issuance of a cardroom license to a greyhound permitholder; providing that a corresponding pari-mutuel license application or a minimum number of live performances is not required for a greyhound permitholder to maintain or renew a cardroom license; providing that the act does not authorize certain gambling activity; providing an effective date.

On motion by Senator Sachs, by two-thirds vote CS for CS for CS for HB 1145 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Benacquisto	Gaetz	Rich
Bogdanoff	Hill	Richter
Braynon	Joyner	Ring
Dean	Lynn	Sachs
Detert	Margolis	Simmons
Diaz de la Portilla	Montford	Sobel
Dockery	Negron	Thrasher
Fasano	Norman	
Flores	Oelrich	

Nays—14

Mr. President	Garcia	Siplin
Alexander	Gardiner	Smith
Altman	Hays	Storms
Bennett	Jones	Wise
Evers	Latvala	

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote CS for SB 242, CS for SB 328, CS for CS for SB 364, CS for CS for SB 490, CS for CS for SB 582, CS for CS for CS for SB 1290, CS for SB 1334, CS for SB 1390, and CS for CS for SB 1732 were withdrawn from the Committee on Budget; CS for SB 606 was withdrawn from the Committee on Community Affairs; SB 962 and SB 974 were withdrawn from the Committee on Governmental Oversight and Accountability; and SB 1488 was withdrawn from the Committee on Military Affairs, Space, and Domestic Security.

MOTIONS

On motion by Senator Thrasher, by two-thirds vote CS for SB 2040, CS for CS for SB 1122, CS for SB 1590, CS for SB 1328, CS for CS for SB 1502, CS for SB 1850, SB 1494, CS for SB 1922, CS for CS for SJR 1954, and CS for CS for SB 1128 were placed on the Special Order Calendar for Monday, May 2.

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day, except **SB 322** and **SB 306**, were placed on the Special Order Calendar for Monday, May 2.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Thrasher, the rules were waived and the Special Order Calendar Group was granted permission to meet this day at 5:00 p.m. to set the Special Order Calendar for Tuesday, May 3.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Friday, April 29, 2011: CS for CS for CS for SB 88, CS for CS for SB 178, CS for CS for SB 274, CS for CS for SB 296, SB 306, SB 322, CS for SB 378, CS for SB 380, CS for CS for SB 396, CS for CS for SB 416, SB 420, CS for SB 438, SB 502, CS for SB 504, CS for CS for SB 512, SB 514, SB 568, SB 570, CS for SB 572, CS for CS for SB 594, CS for SB 600, SB 602, SB 604, CS for SB 648, CS for SB 692, SB 714, CS for SB 720, SB 726, CS for SB 740, CS for CS for SB 846, SM 852, CS for SB 926, CS for CS for SB 930, SB 978, SB 996, SB 1000, CS for CS for SB 1086, CS for SB 1140, CS for SB 1152, CS for SB 1192, CS for CS for SB 1206, CS for SB 1300, CS for CS for SB 1312, CS for CS for SB 1594, CS for SB 1656, CS for SB 1754, CS for SB 1884, SB 1990, SB 2168, SB 2174.

Respectfully submitted,
John Thrasher, Chair

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Budget Subcommittee on Criminal and Civil Justice Appropriations; and Health Regulation; and Senator Jones—

CS for CS for SB 490—A bill to be entitled An act relating to financial responsibility for medical expenses of pretrial detainees or sentenced inmates; amending s. 901.35, F.S.; providing that the responsibility for paying the expenses of medical care, treatment, hospitalization, and transportation for a person who is ill, wounded, or otherwise injured during or as a result of an arrest for a violation of a state law or a county or municipal ordinance is the responsibility of the person receiving the medical care, treatment, hospitalization, or transportation; removing provisions establishing the order by which medical providers receive reimbursement for the expenses incurred in providing the medical services or transportation; amending s. 951.032, F.S.; setting forth the order by which a county or municipal detention facility may seek reimbursement for the expenses incurred during the course of treating or transporting in-custody pretrial detainees or sentenced inmates; requiring each in-custody pretrial detainee or sentenced inmate who receives medical care or other services to cooperate with the county or municipal detention facility in seeking reimbursement for the expenses incurred by the facility; setting forth the order of fiscal resources from which a third-party provider of medical services may seek reimbursement for the expenses the provider incurred in providing medical care; providing that, absent a written agreement between a third-party provider and a governmental body, the remuneration be billed by the third-party provider and paid by the governmental body at a rate not to exceed a specified percent of the Medicare allowable rate for the service rendered; requiring each in-custody pretrial detainee or sentenced inmate who has health insurance, subscribes to a health care corporation, or receives health care benefits from any other source to assign such benefits to the health care provider; defining the term “in-custody pretrial detainee or sentenced inmate”; providing that law enforcement personnel or county or municipal detention facility personnel are responsible for restricting the personal freedom of certain in-custody pretrial detainees or sentenced inmates; providing that the act does not apply to certain counties; providing that certain charter counties are not obligated to reimburse any third-party provider of medical care, treatment, hospitalization, or transportation for an in-custody pretrial detainee or sentenced inmate of a county detention facility at a rate exceeding a particular rate for certain transportation or medical costs; providing an effective date.

—was placed on the Calendar.

By the Committees on Budget Subcommittee on Finance and Tax; and Community Affairs; and Senator Detert—

CS for CS for SB 582—A bill to be entitled An act relating to local business taxes; amending s. 205.022, F.S.; defining the term “independent contractor”; creating s. 205.066, F.S.; exempting an individual engaging in or managing a business in an individual capacity as an employee from requirements related to local business taxes; specifying that an individual licensed and operating as a broker associate or sales associate is an employee; specifying that an independent contractor is not an employee; prohibiting a local governing authority from holding an exempt employee liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or requiring an exempt employee to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for exempt individuals in order to obtain a local business tax receipt; providing that the exemption does not apply to a business tax imposed on an individual employee by a municipality or county pursuant to a resolution or ordinance adopted before October 13, 2010; amending s. 205.194, F.S.; deleting obsolete provisions; requiring a person applying for or renewing a local business tax receipt to engage in or manage a business or occupation regulated by the Florida Supreme Court or a state agency to exhibit certain documentation before such receipt may be issued; authorizing online renewals as a means of providing electronic certifications that meet such requirement; deleting a requirement that the Department of Business and Professional Regulation provide certain professional regulation information to local officials who issue business tax receipts; deleting a provision prohibiting a local official who issues business tax receipts from renewing a license under certain circumstances; providing an effective date.

—was placed on the Calendar.

By the Committees on Budget Subcommittee on General Government Appropriations; Environmental Preservation and Conservation; and Agriculture; and Senator Dean—

CS for CS for CS for SB 1290—A bill to be entitled An act relating to pest control; amending s. 482.051, F.S.; providing for rule changes that allow operators to provide certain emergency notice to the Department of Agriculture and Consumer Services by facsimile or electronic means; amending s. 482.071, F.S.; increasing the minimum bodily injury and property damage insurance coverage required for pest control businesses; creating s. 482.072, F.S.; providing for licensure by the department of pest control customer contact centers; providing application requirements; providing for fees, licensure renewal, penalties, licensure expiration, and transfer of licenses; creating s. 482.157, F.S.; providing for the certification of commercial wildlife trappers; providing certification requirements, examination requirements, and fees; limiting the scope of work permitted by certificateholders; clarifying that licensees and certificateholders who practice accepted pest control methods are immune from liability for violating laws prohibiting cruelty to animals; amending s. 482.226, F.S.; increasing the minimum financial responsibility requirements for licensees that perform certain inspections; providing an effective date.

—was placed on the Calendar.

By the Committees on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Commerce and Tourism; and Senator Benacquisto—

CS for CS for SB 1318—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; revising the criteria for the determination of target industry businesses by the Office of Tourism, Trade, and Economic Development; providing for notification by the local governing body recommending the project of the private-sector wage calculation; providing an effective date.

—was placed on the Calendar.

By the Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations; and Senators Dockery, Joyner, and Smith—

CS for SB 1390—A bill to be entitled An act relating to supervised reentry programs for inmates; amending s. 945.091, F.S.; providing legislative intent to encourage the Department of Corrections, to the extent possible, to place inmates in the community to perform paid employment for community work; providing that an inmate may leave the confinement of prison to participate in a supervised reentry program in which the inmate is housed in the community while working at paid employment or participating in other programs that are approved by the department; requiring the inmate to live at a department-approved residence while participating in the supervised reentry program; specifying the conditions for participating in the supervised reentry program; requiring that the department adopt rules to operate the supervised reentry program; providing an effective date.

—was placed on the Calendar.

By the Committees on Budget Subcommittee on Higher Education Appropriations; and Higher Education; and Senator Lynn—

CS for CS for SB 1732—A bill to be entitled An act relating to postsecondary education; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to recommend plans and submit a report to the Governor and the Legislature relating to core responsibilities of postsecondary education institutions, performance outputs and outcomes, articulation policies, workforce development education, and baccalaureate degree authorization; requiring the council to submit a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the State Board of Education, and the Board of Governors of the State University System by a date certain which includes certain recommendations; amending s. 1007.27, F.S.; requiring the Department of Education to use student performance data to determine appropriate credit-by-examination scores and courses; requiring the Department of Education to review performance data for students who take Advanced Placement Examinations and to set minimum scores based on the review; deleting an exemption from summer-term enrollment in a public postsecondary education institution for students earning accelerated credit; amending s. 1007.33, F.S.; deleting an exemption from provisions governing the approval process for baccalaureate degrees; amending s. 1001.64, F.S.; requiring a community college board of trustees to ask the Commissioner of Education to authorize an investigation of a college president by the Department of Education's inspector general in specified circumstances; requiring the inspector general to report on the investigation and make recommendations; requiring the inspector general to refer any potential legal violation to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or other appropriate authority; repealing s. 1000.07, F.S., relating to the Florida Business and Education Collaborative; providing an effective date.

—was placed on the Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 13, CS for HB 279, CS for CS for CS for HB 281, CS for CS for CS for CS for HB 283, CS for CS for HB 369, CS for CS for HB 647, CS for CS for HB 935, HB 1029, CS for HB 1039, CS for CS for HB 1141, HB 4009, CS for HB 4013, HB 4027, CS for HB 7185; has passed as amended CS for CS for HB 75, CS for HB 105, CS for CS for HB 1355, CS for CS for CS for HB 1363, CS for HB 7129; has passed by the required constitutional two-thirds vote of the members present CS for HB 677; has adopted HM 9 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Representative(s) Coley, Drake, Ford, Patronis, Adkins, Ahern, Albritton, Baxley, Bembry, Brandes, Broxson, Burgin, Corcoran, Crisa-

fulli, Gaetz, Goodson, Hudson, Ingram, Metz, O'Toole, Plakon, Porter, Smith, Steube, Tobia, Van Zant, Wood—

HB 13—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S.; revising legislative intent; eliminating provisions directing the Department of Health to create and administer a statewide septic tank evaluation program; eliminating procedures and criteria for the evaluation program; repealing s. 381.00656, F.S., to terminate the grant program for repair of onsite sewage treatment disposal systems identified pursuant to the evaluation program, to conform; amending s. 381.0066, F.S.; eliminating provisions authorizing the department to collect an evaluation report fee; eliminating provisions relating to disposition of fee proceeds and a revenue-neutral fee schedule; providing an effective date.

—was referred to the Committee on Rules.

By Health & Human Services Access Subcommittee and Representative(s) Davis—

CS for HB 279—A bill to be entitled An act relating to the training and certification of child welfare personnel; amending s. 402.40, F.S.; revising legislative intent; defining the terms "child welfare certification," "core competency," "preservice curriculum," and "third-party credentialing entity"; providing required criteria for the approval of credentialing entities that develop and administer certification programs for persons who provide child welfare services; revising the use of the Child Welfare Training Trust Fund within the Department of Children and Family Services; revising provisions relating to preservice curricula; requiring persons who provide child welfare services to be certified by a third-party credentialing entity; allowing entities to add to or augment preservice curriculum; allowing entities to contract for training; requiring persons to master core competencies; providing for recognition for currently certified persons; deleting requirements relating to certification and trainer qualifications; deleting provisions relating to training academies; amending s. 402.731, F.S.; authorizing approval of third-party credentialing entities; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Budget.

By Finance & Tax Committee, Economic Affairs Committee, Community & Military Affairs Subcommittee and Representative(s) Logan, Campbell, Steinberg—

CS for CS for CS for HB 281—A bill to be entitled An act relating to value adjustment boards; creating s. 194.014, F.S.; requiring a petitioner challenging the assessed value of property before the value adjustment board to pay a specified percentage of the taxes by a certain date; requiring a petitioner challenging the denial of a classification or exemption, or the assessment on specified grounds, before the value adjustment board to pay the amount of tax which the taxpayer admits in good faith to be owing by a certain date; providing for a penalty if the good faith payment is grossly disproportionate to the amount of tax found to be due and the taxpayer's admission was not made in good faith; requiring the board to deny the petition in writing by a certain date if the required amount of taxes is not timely paid; requiring the payment of interest on certain unpaid taxes; requiring the payment of interest on certain overpayments of taxes; providing that s. 194.014, F.S., does not apply to petitions for ad valorem tax deferrals pursuant to ch. 197, F.S.; amending s. 194.034, F.S.; conforming a provision to changes made by this act; amending s. 197.162, F.S.; providing for a discount for ad valorem taxes paid within 30 days after the mailing of a corrected tax notice resulting from the action of a value adjustment board when the corrected tax notice is issued before the taxes become delinquent; providing applicability; providing an effective date.

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

By Economic Affairs Committee, Justice Appropriations Subcommittee, Criminal Justice Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Young, Adkins, Ahern, Albritton, Artiles, Baxley, Bovo, Boyd, Brandes, Brodeur, Broxson, Burgin, Caldwell, Clemens, Corcoran, Costello, Crisafulli, Cruz, Davis, Diaz, Dorworth, Ford, Fresen, Fullwood, Gaetz, Glorioso, Goodson, Grant,

Hager, Harrison, Holder, Hooper, Horner, Ingram, Jenne, Julien, Logan, McBurney, McKeel, Metz, Moraitis, Nehr, Nuñez, Pafford, Patronis, Pilon, Ray, Reed, Roberson, K., Rooney, Rouson, Slosberg, Smith, Steinberg, Steube, Van Zant, Weinstein, Wood—

CS for CS for CS for CS for HB 283—A bill to be entitled An act relating to seaports; amending s. 311.09, F.S.; providing that Citrus County may apply for a grant for a feasibility study through the Florida Seaport Transportation and Economic Development Council; providing for the evaluation of the application; requiring the Department of Transportation to include the study in its budget request under certain circumstances; amending s. 311.12, F.S.; deleting provisions relating to statewide minimum standards for seaport security; deleting provisions authorizing the Department of Law Enforcement to exempt all or part of a seaport from specified requirements in certain circumstances; revising provisions relating to seaport security plans; revising requirements for certain secure or restricted areas; revising provisions relating to when a part of a seaport property may temporarily be designated as a secure or restricted area; deleting provisions requiring that the Department of Law Enforcement administer a statewide seaport access eligibility reporting system; deleting provisions requiring that persons seeking authorization to access secure and restricted areas of a seaport execute an affidavit; prohibiting a seaport from charging any fee for administration or production of access control credentials that require or are associated with a fingerprint-based background check, in addition to the fee for the federal TWIC; providing exceptions; providing for issuance of seaport-specific access credentials; deleting provisions requiring fingerprint-based state criminal history checks on seaport employee applicants, current employees, and other authorized persons; deleting provisions authorizing waivers from security requirements in certain circumstances; deleting provisions relating to inspections; deleting reporting requirements; deleting the provisions relating to the allocation of appropriated funds for security project needs; amending s. 311.121, F.S.; conforming provisions to changes made by the act; amending s. 311.123, F.S.; revising who may create a maritime domain security awareness training program; conforming provisions to changes made by the act; amending s. 311.124, F.S.; conforming provisions to changes made by the act; repealing s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Transportation; Budget Subcommittee on General Government Appropriations; and Budget.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Rouson, Baxley, Julien—

CS for CS for HB 369—A bill to be entitled An act relating to faith- and character-based correctional institution programs; amending s. 944.803, F.S.; revising legislative findings; providing legislative intent; providing requirements for faith- and character-based programs; deleting provisions relating to funding; revising requirements for participation; deleting provisions relating to assignment of chaplains; allowing peer-to-peer programming whenever appropriate; providing an effective date.

—was referred to the Committees on Criminal Justice; Budget; and Rules.

By Judiciary Committee, Civil Justice Subcommittee and Representative(s) McBurney, Adkins—

CS for CS for HB 647—A bill to be entitled An act relating to the protection of volunteers; amending s. 768.1355, F.S.; clarifying that in order to fall under the protection of the Florida Volunteer Protection Act, a person performing a service for a nonprofit organization may not receive compensation from the nonprofit organization for that service, regardless of whether the person is receiving compensation from another source; providing an exception; providing for application of the act; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

By Health & Human Services Committee, Health & Human Services Access Subcommittee and Representative(s) Corcoran, Drake—

CS for CS for HB 935—A bill to be entitled An act relating to health care price transparency; amending s. 381.026, F.S.; providing a definition; authorizing a primary care provider to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the provider's services by price levels and list the services in each price level; providing an exemption from license fee and continuing education requirements for a provider who publishes and maintains a schedule of charges; requiring a primary care provider's estimates of charges for medical services to be consistent with the posted schedule; requiring a provider to post the schedule of charges for a certain time period; providing for repayment of license fees and compliance with continuing education requirements previously waived if the schedule of charges was not posted for a certain time period; amending s. 395.002, F.S.; providing a definition; creating s. 395.107, F.S.; requiring urgent care centers to publish and post a schedule of certain charges for medical services offered to patients; providing a minimum size for the posting; requiring a schedule of charges to include certain information regarding medical services offered; providing that the schedule may group the urgent care center's services by price levels and list the services in each price level; providing a fine for failure to publish and post a schedule of medical services; providing an effective date.

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

By Representative(s) Brodeur—

HB 1029—A bill to be entitled An act relating to the Interstate Compact for Juveniles; reenacting s. 985.802, F.S.; providing purpose of the compact; providing definitions; providing for an Interstate Commission for Juveniles; providing for the appointment of commissioners; providing for an executive committee; providing for meetings; providing powers and duties of the Interstate Commission; providing for its organization and operation; providing for bylaws, officers, and staff; providing for qualified immunity from liability for the commissioners, the executive director, and employees; requiring the Interstate Commission to adopt rules; providing for oversight, enforcement, and dispute resolution by the Interstate Commission; providing for the activities of the Interstate Commission to be financed by an annual assessment from each compacting state; requiring member states to create a State Council for Interstate Juvenile Supervision; providing for the effective date of the compact and amendments thereto; providing for a state's withdrawal from and reinstatement to the compact; providing for assistance, certain penalties, suspension, or termination following default by a state; providing for judicial enforcement; providing for dissolution of the compact; providing for severability and construction of the compact; providing for the effect of the compact with respect to other laws and for its binding effect; reenacting s. 985.8025, F.S.; creating the State Council for Interstate Juvenile Offender Supervision to oversee state participation in the compact; providing membership; providing for records and open meetings; prescribing procedures if the council is abolished; providing an effective date.

—was referred to the Committees on Criminal Justice; Budget Subcommittee on Criminal and Civil Justice Appropriations; Budget; and Rules.

By Justice Appropriations Subcommittee and Representative(s) Patronis, Van Zant—

CS for HB 1039—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including certain hallucinogenic substances on the list of controlled substances in Schedule I; reenacting ss. 893.13(1), (2), (4), and (5), 893.135(1)(1), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties regarding controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Finance & Tax Committee, Community & Military Affairs Subcommittee and Representative(s) Steube, Boyd, Burgin, Costello, Grant, Holder, Slosberg—

CS for CS for HB 1141—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; creating s. 196.173, F.S.; providing for certain servicemembers who receive a homestead exemption and who are deployed in certain military operations to receive an additional ad valorem tax exemption; designating military operations to receive the additional ad valorem tax exemption; requiring the Department of Revenue to notify property appraisers and tax collectors of the designated military operations; requiring the Department of Military Affairs to submit a report annually of military operations to the President of the Senate, the Speaker of the House of Representatives, and the tax committees of each house of the Legislature; specifying the calculation to be used in determining the exemption amount; requiring that a servicemember apply to the property appraiser to receive the exemption in the year following the year of a qualifying deployment; providing for the application forms to be prescribed by the Department of Revenue and furnished to an applicant by the property appraiser; authorizing certain persons to apply to the property appraiser to receive an exemption on behalf of a servicemember; requiring that a property appraiser consider applications for an exemption within a certain time; providing a definition; amending s. 194.011, F.S.; requiring a person appealing the denial of a deployed service member exemption to the value adjustment board to file the appeal within a certain time; amending s. 196.011, F.S.; providing requirements for the forms used for claims for the exemption for deployed servicemembers; authorizing the Department of Revenue to adopt emergency rules; providing for application of the act to qualifying deployments in the 2010 calendar year; providing for the act to apply to tax rolls beginning in 2011; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; and Budget.

By Representative(s) Workman—

HB 4009—A bill to be entitled An act relating to outdoor theaters; repealing ch. 555, F.S., relating to access to public roads from outdoor theaters; removing provisions for entrances, exits, enclosures, vehicle storage, screen orientation, tower location, and driveway lighting; removing requirements for a qualifying certificate to prove compliance with agency regulations prior to issuance of an occupational license by the tax collector; providing an effective date.

—was referred to the Committee on Transportation.

By Business & Consumer Affairs Subcommittee and Representative(s) Eisnagle—

CS for HB 4013—A bill to be entitled An act relating to television picture tubes; repealing ss. 817.559 and 817.56, F.S., relating to television picture tube labeling requirements and misrepresentations of television picture tubes; providing an effective date.

—was referred to the Committee on Commerce and Tourism.

By Representative(s) Horner—

HB 4027—A bill to be entitled An act relating to obsolete health care provisions; repealing s. 381.0091, F.S., relating to the designation of separate restrooms and separate dressing rooms for males and females; repealing s. 381.736, F.S., relating to the Florida Healthy People 2010 Program; repealing ss. 408.90-408.908, F.S., relating to the MedAccess program within the Agency for Health Care Administration; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Economic Affairs Committee, Finance & Tax Committee and Representative(s) Precourt—

CS for HB 7185—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2011 version of the Internal Revenue Code; amending s. 220.13, F.S.; specifying the treatment by this state of certain depreciation and expensing of assets that are allowed for federal income tax purposes; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing an appropriation; providing for reversion and reappropriation; providing for retroactive application; providing an effective date.

—was referred to the Committees on Budget Subcommittee on Finance and Tax; and Budget.

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Abruzzo, Van Zant—

CS for CS for HB 75—A bill to be entitled An act relating to the offense of sexting; providing that a minor commits the offense of sexting if he or she knowingly uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of any person which depicts nudity and is harmful to minors; providing that a minor commits the offense of sexting if he or she knowingly possesses a photograph or video of any person that was transmitted or distributed by another minor which depicts nudity and is harmful to minors; providing an exception; providing noncriminal and criminal penalties; providing that the transmission, distribution, or possession of multiple photographs or videos is a single offense if the transmission occurs within a 24-hour period; providing that the act does not prohibit prosecution of a minor for conduct relating to material that includes the depiction of sexual conduct or sexual excitement or for stalking; defining the term “found to have committed”; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Communications, Energy, and Public Utilities; and Budget.

By Judiciary Committee and Representative(s) Goodson, Baxley, Corcoran, Hager, Van Zant—

CS for HB 105—A bill to be entitled An act relating to open house parties; amending s. 856.015, F.S.; providing that a person who violates the open house party statute a second or subsequent time commits a misdemeanor of the first degree; providing that a person commits a misdemeanor of the first degree if the violation of the open house party statute causes or contributes to causing serious bodily injury or death to the minor, or causes or contributes to causing serious bodily injury or death to another person as a result of the minor’s consumption of alcohol or drugs at the open house party; providing criminal penalties; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; and Budget.

By State Affairs Committee, Government Operations Subcommittee and Representative(s) Baxley, Perry, Williams, T.—

CS for CS for HB 1355—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; expanding the list of responsibilities of the Secretary of State when acting in his or her capacity as chief election officer; amending s. 97.021, F.S.; revising the definition of “minor political party”; amending s. 97.025, F.S.; revising methods of publication and distribution of the Florida Election Code pamphlet to candidates qualifying with the Department of State; amending s. 97.0575, F.S.; requiring that third-party voter registration organizations register with the Division of Elections and provide the division with certain information; requiring that the division or a supervisor of elections make voter registration forms available to third-party voter registration organizations; requiring that such forms contain certain information; requiring that the division maintain a database of certain information; requiring supervisors of elections to provide specified information to the division in a format and at times required by the division; requiring that such information be updated and made public daily

at a specified time; requiring third-party voter registration organizations to deliver collected voter registration applications within a specified period; revising penalty provisions to conform; specifying grounds for an affirmative defense to a violation of timely submission requirements; providing for the referral of violations to the Attorney General; authorizing the Attorney General to initiate a civil action; providing that an action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order; requiring that the division adopt rules for specified purposes; providing for retroactive effectiveness; amending s. 97.071, F.S.; requiring that voter information cards contain the address of the polling place of the registered voter; requiring a supervisor of elections to issue a new voter information card to a voter upon a change in a voter's address of legal residence or a change in a voter's polling place address; amending s. 97.073, F.S.; requiring a supervisor to notify an applicant within 5 business days regarding disposition of the voter registration applications; amending s. 97.1031, F.S.; requiring an elector to notify the supervisor of elections when he or she changes his or her residence address; providing a voter with various options for providing address updates; revising notice requirements for any change in party affiliation; amending s. 98.075, F.S.; requiring a supervisor of elections to remove a registered voter from the statewide voter registration system upon certain notice; providing bases for ineligibility; amending 98.093, F.S.; requiring the Florida Parole Commission and the Department of Corrections to provide specified data for the updating of the statewide voter registration system regarding convicted felons; amending s. 98.0981, F.S.; providing timeframes and formats for voting history information to be sent by the supervisors of elections to the department; providing timeframes and formats for voting history information to be sent by the department to the President of the Senate, the Speaker of the House of Representatives, and the respective minority leaders; requiring submission of precinct-level information in a certain format by a time certain; amending s. 99.012, F.S., relating to restrictions on individuals qualifying for public office; providing that if a final court order determines that a person did not comply with specific provisions of the section the person is not qualified as a candidate and his or her name may not appear on ballot; providing for nonapplicability to presidential and vice presidential candidates; amending s. 99.021, F.S.; revising the candidate oath requirement for a person seeking to qualify for nomination or election or as a candidate of a political party; removing requirement for qualifying officer to give printed copy of candidate oath; removing requirement for taking public employee oath; providing exceptions for certain candidates taking other oaths; amending s. 99.061, F.S.; revising timeframe for candidate to pay qualifying fee under certain circumstances; requiring checks to be payable as prescribed by filing officer; requiring notarized signature on certain oaths; removing requirement for public employee oath; requiring filing of a notarized financial disclosure; clarifying time for qualifying papers to be received; providing that qualifying officer performs ministerial duty only; exempting qualifying officer decision from Administrative Procedures Act; amending s. 99.063, F.S.; removing the requirement that a candidate swear a public employee loyalty oath; amending s. 99.093, F.S.; remitting assessments directly to the Florida Elections Commissions rather than passing through the department; amending s. 99.095, F.S.; allowing certain individuals seeking county or district office in a year of apportionment to obtain signatures county-wide; amending s. 99.097, F.S.; clarifying that the supervisor of elections checks more than signatures on petition forms; clarifying rulemaking authority of the department relating to petitions; prohibiting certain random sampling method of petition verification for constitutional amendments petitions; providing for invalidity of undue burden oaths under specified circumstances; providing for certain funds to be used to reimburse a supervisor of elections for signature verification fees not previously paid when an undue burden oath is held invalid; amending s. 100.061, F.S.; revising the primary election date; amending s. 100.111, F.S.; providing notification requirements and procedures for filling a vacancy in nomination for certain offices; deleting the definition of the term "district political party executive committee"; providing that a vacancy in nomination is not created if an order of a court that has become final determines the nominee did not properly qualify or does not meet the necessary qualifications to hold the office sought; amending s. 100.371, F.S.; providing that signatures on an initiative petition are valid for 2 years instead of 4 years; requiring that a petition signer must be a registered elector at time of signing for a supervisor to verify his or her signature as valid; requiring the supervisor of elections to notify petition sponsor of misfiled petition under certain circumstances; deleting certain petition revocation provisions; amending s. 101.001, F.S.; requiring the supervisors of elections to provide the department with

precinct data including specified information; requiring the department to maintain a searchable database containing certain precinct and census block information; requiring supervisors of elections to notify the department of precinct changes within a specified time; deleting a waiver; amending s. 101.043, F.S.; providing that the address appearing on the photo identification used at polls cannot be used to confirm or challenge an elector's legal residence for address verification; amending s. 101.045, F.S.; permitting a change of residence at the polling place for a person changing residence within a county; providing that a person whose change of address is from outside the county may not change his or her legal residence at the polling place or vote a regular ballot but may vote a provisional ballot; amending s. 101.131, F.S.; revising procedures for the designation of poll watchers; requiring that the division prescribe a form for the designation of poll watchers; providing conditions under which poll watchers are authorized to enter polling areas and watch polls; requiring that a supervisor of elections provide identification to poll watchers by a specified period before early voting begins; requiring that poll watchers display such identification while in a polling place; amending s. 101.151, F.S.; providing changes in ballot appearance; reducing length and appearance of ballot and redundancy; expanding use of ballot on demand technology; amending s. 101.5605, F.S.; clarifying that testing of voting equipment be done in accordance with state-adopted voting system standards; amending s. 101.5606, F.S.; removing references to obsolete forms of voting; amending s. 101.56075, F.S.; providing that all voting systems utilized after a certain time shall permit placement on the ballot of the full text of a constitutional amendment; amending s. 101.5612, F.S.; revising the number or percentage of systems that must be tested; amending s. 101.5614, F.S.; conforming law to current technological practices in canvassing of certain returns; amending s. 101.591, F.S.; providing that a manual recount is not required under certain circumstances; amending s. 101.62, F.S.; extending absentee ballot request through the end of the calendar year of the next two regularly scheduled general elections; providing timeframes for absentee ballots to be sent to voters voting an absentee ballot; clarifying provisions relating to military and overseas voters; requiring the supervisors of elections to update absentee ballot information and make available by a time certain; revising reasons for voting absentee; amending s. 101.65, F.S.; expanding absentee ballot instructions to notify a voter that signatures on ballot and on record must match; informing voter when signature must be updated; amending s. 101.68, F.S.; allowing the county canvassing boards to begin canvassing of absentee ballots at a time certain; amending s. 101.6923, F.S.; expanding special absentee ballot instructions for certain first-time voters to notify voters that signatures on the ballot and on record must match; informing voter when signature must be updated; amending s. 101.75, F.S.; eliminating state mandate for a municipal election to have a 14-day candidate qualifying period when it moves its election to coincide with state or county election; amending s. 102.031, F.S.; prohibiting solicitation of voters who are entering or in line to enter any polling place, polling room, or early voting site; requiring the posting of a sign; expanding the definitions of the terms "solicit" and "solicitation"; amending s. 102.141, F.S.; requiring the canvassing board to report all early voting and all tabulated absentee results to the department by a time certain; requiring periodic updates; amending s. 102.168, F.S.; clarifying when canvassing boards are an indispensable party to an election contest; clarifying evidence a circuit court may consider in certain election contests; providing a standard of review; amending s. 103.021, F.S.; revising the definition of the term "national party"; revising requirements for a minor political party to have candidates for President and Vice President placed on the general election ballot; creating s. 103.095, F.S.; providing a procedure for the registration of a minor political party; requiring the Division of Elections to adopt rules to prescribe the manner in which political parties may have their filings canceled; amending s. 103.101, F.S.; creating a Presidential Preference Primary Date Selection Committee; providing membership; requiring for the committee to meet by a date certain and to set a date for the presidential preference primary; amending s. 103.141, F.S.; deleting language providing for the removal of certain county executive committee members pursuant to a separate provision of law; amending s. 104.29, F.S.; clarifying when it is an offense for an inspector or other election official to deny a person the opportunity to observe whether ballots are being correctly reconciled; amending s. 106.011, F.S.; revising the definitions of "candidate," "contribution," and "expenditure" to exclude funds received or spent for certain potential candidate polls; clarifying and conforming the definition of "independent expenditure" to the candidate's specific qualifying period; clarifying the qualifying period for the candidate; correcting a cross-reference; creating s. 106.012, F.S.; providing that funds spent or received are not con-

tributions or expenditures if used solely for determining candidate viability; providing examples of permissible activities; providing for retention of records; providing that funds become contributions and expenditures upon the candidacy of a person; requiring reporting of funds regardless of date received or spent; providing examples of ineligible activities for fund use; delineating activities indicating intention to become a candidate; limiting the amount of funds that may be received; amending s. 106.021, F.S.; deleting a requirement that certain information be included in campaign reports for reimbursement; amending s. 106.022, F.S.; requiring a political committee, committee of continuous existence, or electioneering communications organization to file a statement of appointment with the filing officer rather than with the division; authorizing an entity to change its appointment of registered agent or registered office by filing a written statement with the filing officer; requiring a registered agent who resigns to execute a written statement of resignation and file it with the filing officer; amending s. 106.023, F.S.; revising the form of the statement of a candidate to require a candidate to acknowledge that he or she has been provided access to and understands the requirements of ch. 106, F.S.; amending s. 106.025, F.S.; exempting tickets or advertising for a campaign fundraiser from requirements of s. 106.143, F.S.; amending s. 106.03, F.S.; providing when a political committee must file a statement of organization; providing when a group must register as an electioneering communications organization; amending s. 106.04, F.S.; requiring a committee of continuous existence that makes a contribution or expenditure in connection with certain county or municipal elections to file specified reports; subjecting a committee of continuous existence that fails to file a report or to timely file a report with the division or a county or municipal filing officer to a fine; requiring a committee of continuous existence to include transaction information from credit card purchases in a report filed with the division; requiring a committee of continuous existence to report changes in information previously reported to the division within 10 days after the change; requiring the division to revoke the certification of a committee of continuous existence under certain circumstances; requiring the division to adopt rules to prescribe the manner in which the certification is revoked; increasing the amount of a fine to be levied on a committee of continuous existence that fails to timely file certain reports; providing for the deposit of the proceeds of the fines; including the registered agent of a committee of continuous existence as an alternate person whom the filing officer shall notify that a report has not been filed; providing criteria for deeming delivery of a notice of fine complete; requiring a committee of continuous existence that appeals a fine to file a copy of the appeal with the commission; amending s. 106.07, F.S.; correcting a cross-reference; revising the dates that certain contribution and expenditure reports must be filed; revising reporting requirements for a statewide candidate who receives funding under the Florida Election Campaign Financing Act and candidates in a race with a candidate who has requested funding under that act; deleting a requirement for a committee of continuous existence to file a campaign treasurer's report relating to contributions or expenditures to influence the results of a special election; revising the methods by which a campaign treasurer may be notified of the determination that a report is incomplete to include certified mail and other methods using a common carrier that provides proof of delivery of the notice; extending the time the campaign treasurer has to file an addendum to the report after receipt of notice of why the report is incomplete; providing criteria for deeming delivery complete of a notice of incomplete report; deleting a provision allowing for notification by telephone of an incomplete report; requiring political committees that make a contribution or expenditure in connection with certain county or municipal elections to file campaign finance reports with the county or municipal filing officer and to include its contributions and expenditures in a report to the division; revising the information that must be included in a report to include transaction information for credit card purchases; deleting a requirement that a campaign depository to return checks drawn on the account to the campaign treasurer; specifying the amount of a fine for the failure to timely file reports after a special primary election or special election; specifying that the registered agent of a political committee is a person whom a filing officer may notify of the amount of the fine for filing a late report; providing criteria for deeming delivery of a notice of late report and resulting fine complete; amending s. 106.0703, F.S.; correcting a cross-reference; deleting a requirement for an electioneering communications organization to provide certain information to the department on activities occurring since the last general election; amending s. 106.0705, F.S.; requiring certain individuals to electronically file certain reports with the division; conforming a cross-reference to changes made by the act; deleting an obsolete provision; amending s. 106.071, F.S.;

conforming provisions relating to expenditures in the aggregate; clarifying the independent expenditure disclaimer for paid political advertisement by an individual; amending s. 106.08, F.S.; deleting a requirement for the department to notify candidates as to whether an independent or minor party candidate has obtained the required number of petition signatures; deleting a requirement for certain unopposed candidates to return contributions; specifying the entities with which a political party's state executive committee, an affiliated party committee, and county executive committees must file a written acceptance of an in-kind contribution; amending s. 106.09, F.S.; specifying that the limitations on contributions by cash or cashier's check apply to the aggregate amount of contributions to a candidate or committee per election; clarifying that a violation of a certain subsection, and not a section, of the law is a misdemeanor of the first degree; amending s. 106.11, F.S.; revising the statement that must be contained on checks from a campaign account; deleting requirements relating to the use of debit cards; authorizing a campaign for a candidate to reimburse the candidate's loan to the campaign when the campaign account has sufficient funds; amending s. 106.141, F.S.; removing certain limitations on expenditure of surplus funds; requiring candidates receiving public financing to return all surplus funds to the General Revenue Fund after paying certain monetary obligations and expenses; amending s. 106.143, F.S.; revising disclosure requirements for certain political advertisements; specifying disclosure statements that must be included in political advertisements paid for by a write-in candidate; specifying disclosure requirements for political advertisements paid for by in-kind contributions; prohibiting the inclusion of a person's political affiliation in advertisements for a nonpartisan office; clarifying the type of political advertisements that must be approved in advance by a candidate; deleting a duplicative exemption from the requirement to obtain a candidate's approval for messages designed to be worn; providing that political advertisements paid for by a political party or an affiliated party committee may use certain registered names and abbreviations; clarifying that a political advertisement that is paid for by a candidate and complies with statutory disclosure requirements is not required to additionally state that it is approved by the candidate; amending s. 106.15, F.S.; prohibiting the making, soliciting, or accepting of any political contribution in a government-occupied room or building space; defining "government-occupied room or building space"; providing an exception; amending s. 106.17, F.S.; authorizing state and county executive committees and affiliated party committees to conduct political polls to determine viability of potential candidates; allowing sharing of results; providing that such expenditures are not contributions to the potential candidates; amending s. 106.19, F.S.; providing that a candidate's failure to comply with ch. 106, F.S., has no effect on whether the candidate has qualified for office; amending s. 106.25, F.S., relating to reports of alleged violations to Florida Elections Commission; providing a deadline for the filing of a response by a respondent; prohibiting the commission from defining willfulness by rule, or further defining the term as provided in ch. 106 or ch. 104, F.S.; providing for entering into a consent order under certain circumstances; allowing a respondent who is alleged by the commission to have violated the election code or campaign financing laws to elect as a matter of right a formal hearing before the Division of Administrative Hearings; authorizing an administrative law judge to assess civil penalties upon the finding of a violation; amending s. 106.26, F.S.; authorizing the commission to file a complaint in the circuit court where the witness resides; amending s. 106.265, F.S.; authorizing an administrative law judge to assess a civil penalty upon a finding of a violation of the election code or campaign financing laws; providing for civil penalties to be assessed against an electioneering communications organization; removing reference to the expired Election Campaign Financing Trust Fund; directing that moneys from penalties and fines be deposited into the General Revenue Fund; amending s. 106.29, F.S.; requiring specified committees that make contributions or expenditures to influence the results of a special election or special primary election to file campaign treasurer's reports by certain dates; providing for applicable campaign finance reporting dates, to conform; deleting a requirement that each state executive committee file the original and one copy of its reports with the division; revising provisions relating to penalties for late filing, to conform and to provide requirements for sufficiency of notice; amending s. 106.35, F.S.; deleting a requirement that the division adopt rules relating to the format and filing of certain printed campaign treasurer's reports under the Florida Election Campaign Financing Act; amending s. 106.355, F.S.; eliminating the duty of the department to provide funds from the Election Campaign Financing Trust Fund when certain expenditure limits are exceeded; amending s. 11.045, F.S.; excluding funds received or spent under s. 106.012, F.S., from the defini-

tion of “expenditure”; amending s. 112.312, F.S.; excluding funds received or spent under s. 106.012, F.S., or contributions or expenditures reported pursuant to federal election law from the definition of “gift”; amending s. 112.3215, F.S.; excluding funds received or spent under s. 106.012, F.S., or contributions or expenditures reported pursuant to federal election law from the definition of “expenditure”; amending s. 876.05, F.S.; deleting the requirement that candidates for public office take a public employee oath; amending s. 100.101, F.S.; to conform to changes made by the act; repealing s. 103.161, F.S., relating to the removal or suspension of officers or members of state executive committees or county executive committees; repealing s. 876.07, F.S., relating to the requirement that a candidate take a public employee oath as a prerequisite to qualifying for public office, to conform; amending s. 101.161, F.S.; revising terminology; transferring to a new subsection requirements applicable to joint resolutions; providing that a joint resolution may include a ballot summary and alternate ballot summaries; providing that a joint resolution may include a ballot summary or alternate ballot summaries, listed in order of preference, describing the chief purpose of the amendment or revision in clear and unambiguous language; requiring a joint resolution to specify placement on the ballot of a ballot title and either a ballot summary embodied in the joint resolution or the full text of the proposed amendment or revision; requiring placement on the ballot of the ballot title and ballot summary, or the ballot title and the full text of the proposed amendment or revision, as specified by a joint resolution; requiring placement on the ballot of the full text of an amendment or revision if the court determines that each ballot summary embodied in a joint resolution is defective unless the Secretary of State certifies to the court that placement of the full text on the ballot is incompatible with voting systems that must be utilized during the election at which the proposed amendment will be presented to voters and that no other available accommodation will enable persons with disabilities to vote on the proposed amendment or revision; requiring the Attorney General to revise a ballot summary under certain circumstances; requiring the court to retain jurisdiction over challenges to any revised ballot summary submitted by the Attorney General; requiring challenges to revised ballot summaries to be filed within 10 days after the revised ballot summary is submitted to the court by the Attorney General; creating a presumption that the full text of an amendment or revision must be considered a clear and unambiguous statement of the substance and effect of an amendment or revision proposed by joint resolution and sufficient notice to electors under certain circumstances; establishing rules of construction for construing proposed ballot titles, ballot summaries, or the full text of proposed amendments or revisions; requiring legal challenges to ballot language to be filed within certain time periods; requiring complaints or petitions challenging ballot language to assert all grounds for such challenges; providing that any grounds not asserted are waived; requiring the courts to describe with specificity each deficiency in a ballot title, summary, or full text of a proposed amendment or revision; requiring the courts to accord actions challenging ballot language specified by a joint resolution priority over other pending cases and issue orders as expeditiously as possible; providing retroactive applicability to joint resolutions passed during the 2011 regular session; providing effective dates.

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

By Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Brandes, Bembry, Ray—

CS for CS for CS for HB 1363—A bill to be entitled An act relating to transportation; amending s. 120.80, F.S., relating to rulemaking; exempting the adjustment of tolls under specified provisions from provisions requiring a statement of estimated regulatory costs and a requirement for legislative ratification; amending s. 316.091, F.S.; prohibiting use of human-powered vehicles on limited access highways and bridges; requiring the Department of Transportation to establish a pilot program to open certain limited access highways and bridges to bicycles and other human-powered vehicles; providing requirements for the pilot program; authorizing the department to continue or expand the program after the end of the pilot period; requiring a report to the Governor and the Legislature; amending s. 316.302, F.S.; exempting operators of farm labor vehicles from certain safety regulations under certain circumstances; amending s. 331.303, F.S.; defining “spaceport launch support facilities”; amending s. 334.03, F.S.; revising definitions

for purposes of the Florida Transportation Code; amending s. 334.044, F.S.; revising the powers and duties of the department relating to jurisdictional responsibility and designating facilities; revising the types of transportation projects for which landscaping materials must be purchased; limiting the amount of funds that may be allocated for such purchases; revising the department’s duties related to agreements with Space Florida; amending s. 334.047, F.S.; removing a provision prohibiting the department from establishing a maximum number of miles of urban principal arterial roads within a district or county; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax is to be levied; amending s. 336.025, F.S.; revising the dates when impositions or rate changes of the local option fuel tax are to be levied and when counties must notify the Department of Revenue of such rates or rate changes; revising the definition of “transportation expenditures”; amending s. 337.111, F.S.; providing additional forms of security for the cost of removal of monuments or memorials or modifications to an installation site at highway rest areas; removing a provision requiring renewal of a bond; amending ss. 337.403 and 337.404, F.S.; revising provisions for alleviation of interference with a public road or publically imposed rail corridor caused by a utility facility; requiring the utility owner to initiate and complete the work necessary within a certain time period; providing for notice to the utility; revising provisions for payment of costs; revising provisions for completion of work when the utility owner does not perform the work; amending s. 337.408, F.S.; revising provisions for certain facilities installed within the right-of-way limits of roads; requiring counties and municipalities to indemnify the department from certain claims relating to the installation, removal, or relocation of a noncompliant bench or shelter; authorizing the department to direct a county or municipality to remove or relocate a bus stop, bench, transit shelter, waste disposal receptacle, public pay telephone, or modular news rack that is not in compliance with applicable laws or rules; directing the department to remove or relocate such installation and charge the cost to the county or municipality; authorizing the department to deduct the cost from funding available to the municipality or county from the department; removing a provision for the replacement of an unusable transit bus bench that was in service before a certain date; revising the title of chapter 338, F.S.; repealing s. 338.001, F.S., relating to provisions for the Florida Intrastate Highway System Plan; amending s. 338.01, F.S.; including authority of the department in provisions for the establishment of limited access facilities; amending s. 339.155, F.S.; revising provisions for statewide transportation planning by the department; providing for federally required transportation planning factors; revising provisions for the Florida Transportation Plan; removing requirements that the plan include a long-range component and a short-range component; removing certain reporting requirements; revising requirements for public participation in the planning process; amending s. 339.175, F.S.; providing that representatives of the department shall serve as nonvoting advisers to a metropolitan planning organization; authorizing the appointment of additional nonvoting advisers; amending s. 339.63, F.S.; providing for inclusion of certain access facilities in the Strategic Intermodal System and the Emerging Strategic Intermodal System; amending s. 339.64, F.S.; revising provisions for development of the Strategic Intermodal System Plan; removing the Statewide Intermodal Transportation Advisory Council; creating s. 339.65, F.S.; providing for the department to plan and develop Strategic Intermodal System highway corridors; providing for allocations of funds on a specified basis; providing for corridor projects to be included in the department’s adopted work program and changes to be a separate part of the tentative work program; amending s. 341.302, F.S.; providing for construction of safety measures along passenger rail corridors and improvements at intermodal stations; amending s. 348.0003, F.S.; revising financial disclosure requirements for certain transportation authorities; amending s. 349.03, F.S.; providing for financial disclosure requirements for the Jacksonville Transportation Authority; amending s. 349.04, F.S.; providing that the Jacksonville Transportation Authority may conduct meetings and workshops using communications media technology; providing that certain actions may not be taken unless a quorum is present in person; providing that members must be physically present to vote on any item; amending s. 373.413, F.S.; providing legislative intent regarding flexibility in the permitting of stormwater management systems; requiring the cost of stormwater treatment for a transportation project to be balanced with benefits to the public; absolving the Department of Transportation of responsibility for the abatement of pollutants entering its stormwater facilities from offsite sources and from updating permits for adjacent lands impacted by right-of-way acquisition; authorizing the water management districts and the Department of Environmental Protection to adopt rules; creating s. 479.075, F.S.; de-

fining the terms “sign” and “sign permit fee”; establishing limitations on fees charged for sign permits; requiring a fee schedule to be based on actual costs; providing that the fee may not exceed certain costs; requiring the local government maintain information to justify certain costs; providing that specified provisions do not apply to certain signs; providing for effect with respect to any agreement, resolution, or ordinance; requiring removal of a sign to adhere to specified provisions; amending s. 479.106, F.S.; revising requirements for an application for a permit to remove, cut, or trim trees or vegetation around a sign; requiring that the application include a vegetation management plan, a mitigation contribution to a trust fund, or a combination of both; providing certain evaluation criteria; providing criteria for the use of herbicides; providing a time limit within which the Department of Transportation must act; providing that the permit is valid for 5 years; providing for an extension of the permit; reducing the number of non-conforming signs that must be removed before a permit may be issued for certain signs; providing criteria for view zones; requiring the department to provide notice to the sign owner of beautification projects or vegetation planting; amending s. 28, ch. 2008-174, Laws of Florida; revising the expiration of a pilot program that authorizes the Palm Beach County school district to recognize its business partners by displaying such business partners’ names on school district property in unincorporated areas; designating Edna S. Hargrett-Thrower Avenue in Orange County; designating SP4 Thomas Berry Corbin Memorial Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial Highway in Dixie County; designating Marine Lance Corporal Brian R. Buesing Memorial Highway, United States Army Sergeant Karl A. Campbell Memorial Highway, and U.S. Army SPC James A. Page Memorial Highway in Levy County; designating Veterans Memorial Highway in Putnam County; designating Ben G. Watts Highway in Washington County; designating Mardi Gras Way, West Park Boulevard, and Pembroke Park Boulevard in Broward County; designating Stark Memorial Drive and Duval County Law Enforcement Memorial Overpass in Duval County; designating Verna Bell Way in Nassau County; designating Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County; designating Dr. Oscar Elias Biset Boulevard in Miami-Dade County; designating Alma Lee Loy Bridge in Indian River County; amending ss. 24 and 45, ch. 2010-230, Laws of Florida; revising the designation for Miss Lillie Williams Boulevard and Father Gerard Jean-Juste Street in Miami-Dade County; directing the Department of Transportation to erect suitable markers; amending ss. 163.3180, 288.063, 311.07, 311.09, 316.2122, 316.515, 336.01, 338.222, 338.223, 338.2275, 338.228, 339.2819, 339.285, 341.8225, 479.01, 479.07, and 479.261, F.S., relating to transportation concurrency, contracts, port facilities, Florida Seaport Transportation and Economic Development Council, low-speed vehicles and mini trucks, width and height limitations, the county road system, turnpike projects, revenue bonds, Transportation Regional Incentive Program, Enhanced Bridge Program for Sustainable Transportation, high-speed rail projects, outdoor advertising, sign permits, and the Logo sign program, respectively; revising cross-references; amending ss. 163.3187, 318.12, 335.02, 338.227, 338.234, 339.62, 341.053, and 403.7211, F.S., relating to comprehensive plans, traffic infractions, standards for lanes, services related to the financing of projects, concessions along the turnpike, components of the Strategic Intermodal System, Intermodal Development Program, and hazardous waste facilities, respectively; revising references to conform to the incorporation of the Florida Intrastate Highway System into the Strategic Intermodal System and to changes made by the act; amending s. 20.23, F.S.; providing that the Florida Statewide Passenger Rail Commission has the primary and exclusive authority to monitor certain designated functions related to passenger rail systems; removing from the Florida Transportation Commission the responsibility and duty to monitor the efficiency, productivity, and management of all publicly funded passenger rail systems in the state; amending s. 311.09, F.S.; providing that Citrus County may apply for a grant for a feasibility study through the Florida Seaport Transportation and Economic Development Council; providing for the evaluation of the application; requiring the Department of Transportation to include the study in its budget request under certain circumstances; amending s. 212.055, F.S.; requiring counties to revise, as necessary, any interlocal agreements entered into with municipalities for the distribution of proceeds of the discretionary sales surcharge in order that newly participating municipalities may receive a share of the distribution; specifying conditions by which a municipality may receive a distribution of the sales surcharge; amending s. 316.613, F.S.; providing an exception for certain for-hire passenger vehicles from provisions requiring the use of child restraint devices in motor vehicles; providing effective dates.

—was referred to the Committees on Transportation; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

By Economic Affairs Committee, Community & Military Affairs Subcommittee and Representative(s) Workman, Caldwell—

CS for HB 7129—A bill to be entitled An act relating to growth management; amending s. 163.3161, F.S.; redesignating the “Local Government Comprehensive Planning and Land Development Regulation Act” as the “Community Planning Act”; revising and providing intent and purpose of act; amending s. 163.3164, F.S.; revising definitions; amending s. 163.3167, F.S.; revising scope of the act; revising and providing duties of local governments and municipalities relating to comprehensive plans; deleting retroactive effect; creating s. 163.3168, F.S.; encouraging local governments to apply for certain innovative planning tools; authorizing the state land planning agency and other appropriate state and regional agencies to use direct and indirect technical assistance; amending s. 163.3171, F.S.; providing legislative intent; amending s. 163.3174, F.S.; deleting certain notice requirements relating to the establishment of local planning agencies by a governing body; amending s. 163.3175, F.S.; providing that certain comments, underlying studies, and reports provided by a military installation’s commanding officer are not binding on local governments; providing additional factors for local government consideration in impacts to military installations; clarifying requirements for adopting criteria to address compatibility of lands relating to military installations; amending s. 163.3177, F.S.; revising and providing duties of local governments; revising and providing required and optional elements of comprehensive plans; revising requirements of schedules of capital improvements; revising and providing provisions relating to capital improvements elements; revising major objectives of, and procedures relating to, the local comprehensive planning process; revising and providing required and optional elements of future land use plans; providing required transportation elements; revising and providing required conservation elements; revising and providing required housing elements; revising and providing required coastal management elements; revising and providing required intergovernmental coordination elements; amending s. 163.31777, F.S.; revising requirements relating to public schools’ interlocal agreements; deleting duties of the Office of Educational Facilities, the state land planning agency, and local governments relating to such agreements; deleting an exemption; amending s. 163.3178, F.S.; deleting a deadline for local governments to amend coastal management elements and future land use maps; amending s. 163.3180, F.S.; revising and providing provisions relating to concurrency; revising concurrency requirements; revising application and findings; revising local government requirements; revising and providing requirements relating to transportation concurrency, transportation concurrency exception areas, urban infill, urban redevelopment, urban service, downtown revitalization areas, transportation concurrency management areas, long-term transportation and school concurrency management systems, development of regional impact, school concurrency, service areas, financial feasibility, interlocal agreements, and multimodal transportation districts; revising duties of the Office of Program Policy Analysis and the state land planning agency; providing requirements for local plans; providing for the limiting the liability of local governments under certain conditions; amending s. 163.3182, F.S.; revising definitions; revising provisions relating to transportation deficiency plans and projects; amending s. 163.3184, F.S.; providing a definition; providing requirements for comprehensive plans and plan amendments; providing an expedited state review process for adoption of comprehensive plan amendments; providing requirements for the adoption of comprehensive plan amendments; creating the state-coordinated review process; providing and revising provisions relating to the review process; revising requirements relating to local government transmittal of proposed plan or amendments; providing for comment by reviewing agencies; deleting provisions relating to regional, county, and municipal review; revising provisions relating to state land planning agency review; revising provisions relating to local government review of comments; deleting and revising provisions relating to notice of intent and processes for compliance and noncompliance; providing procedures for administrative challenges to plans and plan amendments; providing for compliance agreements; providing for mediation and expeditious resolution; revising powers and duties of the administration commission; revising provisions relating to areas of critical state concern; providing for concurrent zoning; amending s. 163.3187, F.S.; deleting provisions relating to the amendment of adopted comprehensive plan and providing

the process for adoption of small-scale comprehensive plan amendments; repealing s. 163.3189, F.S., relating to process for amendment of adopted comprehensive plan; amending s. 163.3191, F.S., relating to the evaluation and appraisal of comprehensive plans; providing and revising local government requirements including notice, amendments, compliance, mediation, reports, and scoping meetings; amending s. 163.3229, F.S.; revising limitations on duration of development agreements; amending s. 163.3235, F.S.; revising requirements for periodic reviews of a development agreements; amending s. 163.3239, F.S.; revising recording requirements; amending s. 163.3243, F.S.; revising parties who may file an action for injunctive relief; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing the adoption of sector plans under certain circumstances; amending s. 163.3246, F.S.; revising provisions relating to the local government comprehensive planning certification program; conforming provisions to changes made by the act; deleting reporting requirements of the Office of Program Policy Analysis and Government Accountability; repealing s. 163.32465, F.S., relating to state review of local comprehensive plans in urban areas; amending s. 163.3247, F.S.; providing for future repeal and abolition of the Century Commission for a Sustainable Florida; creating s. 163.3248, F.S.; providing for the designation of rural land stewardship areas; providing purposes and requirements for the establishment of such areas; providing for the creation of rural land stewardship overlay zoning district and transferable rural land use credits; providing certain limitation relating to such credits; providing for incentives; providing eligibility for incentives; providing legislative intent; amending s. 380.06, F.S.; revising requirements relating to the issuance of permits for development by local governments; revising criteria for the determination of substantial deviation; providing for extension of certain expiration dates; revising exemptions governing developments of regional impact; revising provisions to conform to changes made by this act; amending s. 380.0651, F.S.; revising provisions relating to statewide guidelines and standards for certain multiscreen movie theaters, industrial plants, industrial parks, distribution, warehousing and wholesaling facilities, and hotels and motels; revising criteria for the determination of when to treat two or more developments as a single development; amending s. 331.303, F.S.; conforming a cross-reference; amending s. 380.115, F.S.; subjecting certain developments required to undergo development-of-regional-impact review to certain procedures; amending s. 380.065, F.S.; deleting certain reporting requirements; conforming provisions to changes made by the act; amending s. 380.0685, F.S., relating to use of surcharges for beach renourishment and restoration; repealing Rules 9J-5 and 9J-11.023, Florida Administrative Code, relating to minimum criteria for review of local government comprehensive plans and plan amendments, evaluation and appraisal reports, land development regulations, and determinations of compliance; amending ss. 70.51, 163.06, 163.2517, 163.3162, 163.3217, 163.3220, 163.3221, 163.3229, 163.360, 163.516, 171.203, 186.513, 189.415, 190.004, 190.005, 193.501, 287.042, 288.063, 288.975, 290.0475, 311.07, 331.319, 339.155, 339.2819, 369.303, 369.321, 378.021, 380.115, 380.031, 380.061, 403.50665, 403.973, 420.5095, 420.615, 420.5095, 420.9071, 420.9076, 720.403, 1013.30, 1013.33, and 1013.35, F.S.; revising provisions to conform to changes made by this act; extending permits and other authorizations extended under s. 14, ch. 2009-96, Laws of Florida; extending certain previously granted buildout dates; requiring a permitholder to notify the authorizing agency of its intended use of the extension; exempting certain permits from eligibility for an extension; providing for applicability of rules governing permits; declaring that certain provisions do not impair the authority of counties and municipalities under certain circumstances; requiring the state land planning agency to review certain administrative and judicial proceedings; providing procedures for such review; providing that all local governments shall be governed by certain provisions of general law; providing a directive of the Division of Statutory Revision; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Budget.

By Government Operations Subcommittee and Representative(s) Pilon—

CS for HB 677—A bill to be entitled An act relating to public records; amending s. 119.0712, F.S.; providing an exemption from public records requirements for information held by the Office of Financial Regulation that is received from another state or federal regulatory, administrative, or criminal justice agency and that is otherwise confidential or exempt pursuant to the laws of that state or pursuant to federal law; providing an exemption from public records requirements for information held by the office that is received or developed by the office as part of a joint or multiagency examination or investigation with another state or federal regulatory, administrative, or criminal justice agency; specifying conditions under which the Office of Financial Regulation may obtain and use such information; providing for retroactive application; providing for future review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Banking and Insurance; Criminal Justice; and Governmental Oversight and Accountability.

By Representative(s) Rouson, Kriseman, Mayfield, Patronis, Williams, T.—

HM 9—A memorial to the Congress of the United States, urging Congress to support the marketing of Florida seafood.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce and Tourism; and Agriculture.

ENROLLING REPORTS

CS for SB 400, CS for SB 782, SB 1204 and CS for SB 1970 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 29, 2011.

R. Philip Twogood, Secretary

SM 484 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on April 29, 2011.

R. Philip Twogood, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 28 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—SB 726; Altman—SB 726; Benacquisto—SB 726; Bennett—SB 726; Bogdanoff—SB 726; Braynon—SB 726; Dean—SB 726; Detert—SB 726; Diaz de la Portilla—SB 726; Dockery—SB 726; Evers—SB 726; Fasano—SB 726, CS for CS for SB 1448; Flores—SB 726, CS for CS for SB 1448; Gaetz—SB 726, CS for CS for SB 1594; Garcia—SB 726; Gardiner—SB 726; Haridopolos—SB 726; Hays—CS for SB 376, SB 726; Hill—SB 726; Jones—SB 726; Joyner—SB 726; Latvala—SB 726; Lynn—SB 726; Margolis—SB 726; Montford—SB 726; Negron—SB 726; Norman—SB 726; Oelrich—CS for CS for SB 236, SM 484, SB 726, SB 762, SJR 1438, SB 1770; Rich—SB 726; Richter—SB 726; Ring—SB 726; Sachs—SB 726; Simmons—SB 726; Siplin—SB 726; Smith—SB 726; Sobel—SB 726; Storms—SB 726; Thrasher—SB 726; Wise—SB 726

RECESS

On motion by Senator Thrasher, the Senate recessed at 3:50 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Monday, May 2 or upon call of the President.