



Journal of the Senate

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CONTENTS

Call to Order	358
Co-Introducers	417
Committee Substitutes, First Reading	409
Consent Calendar	360
House Messages, Final Action	417
Introduction and Reference of Bills	408
Motions	391, 400, 407
Motions Relating to Committee Meetings	407
Motions Relating to Committee Reference	407
Reference Changes, Rule 4.7(2)	415
Reports of Committees	407
Resolutions	358
Special Order Calendar	368, 376

CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m.
A quorum present—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	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	
Flores	Norman	

Excused: Senator Bullard

PRAYER

The following prayer was offered by Rev. Richard Hills, First Presbyterian Church of Daytona Beach:

Almighty God, give those gathered in this great assembly a sense of your will for our world. Help each elected official remember they serve a public trust beyond personal gain of glory.

Grant tough minds to wrestle with hard questions, and tender hearts to make compassionate decisions. May all actions reflect a profound respect for justice, fairness, and the well-being of all our citizens.

So may it be this day. Amen.

PLEDGE

Senate Pages Javonte Wilkerson of Jacksonville; Kobe Lawson, granddaughter of former Senator Al Lawson, and Cyrus Calhoun III of Tallahassee; and Blake Edwards of Gulf Breeze, 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. Elias Sarkis of Gainesville, sponsored by Senator Oelrich, as doctor of the day. Dr. Sarkis specializes in Psychiatry.

ADOPTION OF RESOLUTIONS

On motion by Senator Rich—

By Senators Rich and Gaetz—

SR 194—A resolution recognizing the students, faculty, staff, board of trustees, and alumni of Broward College as they celebrate its 50 years as an outstanding institution of higher education.

WHEREAS, in 1960, Broward College opened its doors as the Junior College of Broward County, with 73 students, and

WHEREAS, following accreditation by the Commission on Colleges of the Southern Association of Colleges and Schools, Broward College became the primary point of access to higher education in Broward County, and

WHEREAS, today Broward College enrolls 61,173 diverse students, who hail from 157 countries, and offers an affordable, high-quality education and the convenience of three campuses, in Pembroke Pines, Davie, and Coconut Creek, and six centers: the Willis Holcombe Center, the Pines Center, the Institute for Economic Development, the Weston Center, the Broward College Maroone Automotive Training Center, and Coconut Creek, and

WHEREAS, a number of outstanding Broward College graduates have won prestigious scholarships, including Jack Kent Cooke scholarships, have transferred to universities, and gone on to attend graduate and professional schools, and

WHEREAS, a “branch campus” for Black students, which opened in 1961 at Dillard High School, was merged with the main campus during the 1963-1964 academic year and Broward College is currently one of the nation’s top producers of associate degrees awarded to minority students, and

WHEREAS, Broward College was the first community college in the country to endow teaching chairs for its faculty members, demonstrating commitment to quality instruction by recognizing and fostering faculty excellence, and

WHEREAS, Broward College offers six online associate degrees, 200 online course titles, and many blended programs that combine the benefits of online and face-to-face classes, and is accredited to award bachelor’s degrees in a number of areas, including teacher education in critical-need fields, supervision and management, information technology, and technology management, and

WHEREAS, Broward College’s 56 certificate programs, including digital media web production, dental assisting, and marine technology, prepare men and women for rewarding careers and are designed to lead directly into the workforce within 3 to 12 months, and

WHEREAS, Broward College boasts such popular courses of study as accounting technology, aviation, graphic design technology, legal assisting technology, marine engineering management, massage therapy, and automotive technology, and

WHEREAS, Broward College offers 1,000 continuing education classes for professional and personal development and just for fun, and

WHEREAS, Broward College is one of the schools that make up this state's "Great 28" network of state colleges, educating the teachers, nurses, public safety personnel, and other valued professionals who make Florida a better place to live, NOW, THEREFORE,

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

That the students, faculty, staff, board of trustees, and alumni of Broward College are recognized and congratulated as Broward College celebrates 50 years as an outstanding institution of higher education.

—was introduced out of order and read by title. On motion by Senator Rich, **SR 194** was read the second time in full and adopted.

On motion by Senator Flores—

By Senator Flores—

SR 2080—A resolution recognizing April 6 and 7, 2011, as "Miami-Dade County Days."

WHEREAS, Greater Miami-Dade County contains thousands of businesses that employ millions of people and is the site of foreign consulates, international trade offices, and bi-national chambers of commerce, and

WHEREAS, Miami-Dade County is a center of world finance, with hundreds of financial institutions and foreign agencies within its boundaries, and

WHEREAS, the film and music industry have made Miami-Dade County one of the largest production centers in the nation, and

WHEREAS, agriculture continues to provide millions in economic activity to Miami-Dade County, and the agricultural industry has diversified in such a manner that Miami-Dade County is now one of the largest producers in the United States of tropical fruits, ornamental plants, and fish, and

WHEREAS, manufacturing is also a key industry in Miami-Dade County, with thousands of companies employing tens of thousands of individuals in manufacturing jobs, and

WHEREAS, Miami-Dade County is currently experiencing a cultural boom in world-class entertainment and cultural activities, which is evidenced by the thousands of nonprofit cultural organizations offering dance, theater, music, and visual arts, and festivals and special events, and

WHEREAS, the Miami-Dade County community is a microcosm of the world, in which hundreds of countries are represented, and diverse languages are spoken daily, and

WHEREAS, 22 years, ago the late Representative John F. Cosgrove, as chair of the then-Dade County legislative delegation, worked with the private sector to create what is now Miami-Dade County Days in Tallahassee, NOW, THEREFORE,

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

That April 6 and 7, 2011, are recognized as "Miami-Dade County Days."

—was introduced out of order and read by title. On motion by Senator Flores, **SR 2080** was read the second time in full and adopted.

At the request of Senator Evers—

By Senator Evers—

SR 2166—A resolution recognizing April 5, 2011, as "Department of Juvenile Justice: Youth Success Day" in Florida.

WHEREAS, the State of Florida and the Florida Department of Juvenile Justice recognize the importance of preventing juvenile delinquency, reducing recidivism of those currently in the juvenile system, and contributing to the safety of Florida's citizens and communities, and

WHEREAS, the Florida Department of Juvenile Justice's array of prevention, education, health, probation, and community intervention coupled with its diversion, detention, and residential services have resulted in a reduction in juvenile crime and a safer Florida for all residents, and

WHEREAS, youth, families, law enforcement agencies, the courts, program providers, local boards and councils, schools, volunteers, and other partners work tirelessly to improve the lives of young people, and

WHEREAS, juvenile justice programs help at-risk children and their families stay crime-free, lowering the crime rate and saving lives, and

WHEREAS, the Florida Department of Juvenile Justice is charged with the mission of increasing public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth, and

WHEREAS, the Florida Department of Juvenile Justice is part of the community and part of the solution in reducing juvenile crime, NOW, THEREFORE,

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

That the members of the Florida Senate recognize April 5, 2011, as "Department of Juvenile Justice: Youth Success Day" in Florida and encourage families, schools, providers, faith-based and civic organizations, businesses, and communities to join with the department in preventing juvenile crime.

—**SR 2166** was introduced, read and adopted by publication.

At the request of Senator Jones—

By Senator Jones—

SR 1078—A resolution recognizing April 2011 as "Adopt a Shelter Pet Month" in Florida.

WHEREAS, in the United States, six to eight million homeless pets enter animal shelters each year, with as many as four million of these animals being euthanized, including healthy, loving cats, dogs, kittens, and puppies, and

WHEREAS, the faltering economy has forced many pet owners to surrender their beloved pets to local animal shelters, which are already overburdened, and

WHEREAS, Florida communities are experiencing unprecedented budget shortfalls, which is placing an increased strain on local animal shelters, threatening the lives of thousands of animals, and

WHEREAS, Florida animal shelters cannot save and support the large numbers of animals arriving at their doors, and

WHEREAS, adopting a pet from a local animal shelter is one way that Floridians can make a difference in these uncertain economic times, giving hope to those who must surrender their pet that the pet will be loved and cared for, and

WHEREAS, adopting a pet from a local animal shelter deeply enriches the lives of those who open their homes and hearts to shelter animals, NOW, THEREFORE,

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

That April 2011 is recognized as "Adopt a Shelter Pet Month" in Florida.

—**SR 1078** was introduced, read and adopted by publication.

CONSENT CALENDAR

Consideration of **SM 954** was removed by objection.

Consideration of **SB 464** was deferred.

CS for SB 138—A bill to be entitled An act relating to military veterans convicted of criminal offenses; providing a short title; creating s. 921.00242, F.S.; providing that persons found to have committed criminal offenses who allege that the offenses resulted from posttraumatic stress disorder, traumatic brain injury, substance use disorder, or psychological problems stemming from service in a combat theater in the United States military may have a hearing on that issue before sentencing; providing that defendants found to have committed offenses due to such causes and who are eligible for probation or community control may be placed in treatment programs in certain circumstances; providing for sentence credit for defendants placed in treatment who would have otherwise been incarcerated; providing a preference for treatment programs that have histories of successfully treating such combat veterans; amending s. 948.08, F.S.; creating a pretrial veterans’ treatment intervention program; providing requirements for a defendant to be voluntarily admitted to the pretrial program; providing certain exceptions to such admission; providing for the disposition of pending charges following a defendant’s completion of the pretrial intervention program; providing for the charges to be expunged under certain circumstances; amending s. 948.16, F.S.; creating a misdemeanor pretrial veterans’ treatment intervention program; providing requirements for voluntary admission to the misdemeanor pretrial program; providing for the misdemeanor charges to be expunged under certain circumstances; exempting treatment services provided by the Department of Veterans’ Affairs or the United States Department of Veterans Affairs from certain contract requirements; providing an effective date.

—was read the second time by title.

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (159540)—Delete lines 93-96 and insert:

(7)(a) A person who is charged with a felony, other than a felony listed in s. 948.06(8)(c), and identified as a

On motions by Senator Bennett, by two-thirds vote **CS for SB 138** 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—37

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

Nays—None

Consideration of **CS for SB 400** and **SB 240** was deferred.

CS for SB 782—A bill to be entitled An act relating to road and bridge designations; designating the Sgt. Thomas J. Baitinger, Officer Jeffrey A. Yaslowitz, and Officer David S. Crawford Memorial Highway in Pinellas County; designating the Officer Jeffrey A. Kocab and Officer David L. Curtis Memorial Highway in Hillsborough County; providing an effective date.

—was read the second time by title. On motions by Senator Latvala, by two-thirds vote **CS for SB 782** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	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
Fasano	Negron	Wise
Flores	Norman	
Gaetz	Oelrich	

Nays—None

Vote after roll call:

Yea—Evers

CS for CS for SB 244—A bill to be entitled An act relating to motor vehicles; creating the “Highway Safety Act”; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving, including imposition of an increased fine; amending s. 318.121, F.S.; revising the preemption of additional fees, fines, surcharges, and court costs to allow imposition of the increased fine for aggressive careless driving; amending s. 318.18, F.S.; specifying the amount of the fine and the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver’s license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; providing an effective date.

—was read the second time by title. On motions by Senator Bennett, by two-thirds vote **CS for CS for SB 244** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	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	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	
Flores	Oelrich	

Nays—1

Lynn

Consideration of **SB 330** was deferred.

SB 634—A bill to be entitled An act relating to prohibited activities of Citizens Property Insurance Corporation; repealing s. 215.55951, F.S., relating to an obsolete prohibition against Citizens Property Insurance Corporation’s use of certain amendments or transfers of funds for rate or assessment increase purposes; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 634**, on motion by Senator Simmons, by two-thirds vote **HB 4181** was withdrawn from the Committees on Banking and Insurance; Community Affairs; and Budget.

On motion by Senator Simmons—

HB 4181—A bill to be entitled An act relating to prohibited activities of Citizens Property Insurance Corporation; repealing s. 215.55951, F.S., relating to an obsolete prohibition against Citizens Property Insurance Corporation’s use of certain amendments or transfers of funds for rate or assessment increase purposes; providing an effective date.

—a companion measure, was substituted for **SB 634** and read the second time by title.

On motions by Senator Simmons, by two-thirds vote **HB 4181** was read the third time by title, passed and immediately 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

SB 636—A bill to be entitled An act relating to the repeal of obsolete insurance provisions; amending s. 215.5595, F.S.; deleting an obsolete requirement for the State Board of Administration to transfer to the Citizens Property Insurance Corporation certain funds of the Insurance Capital Build-Up Incentive Program; amending s. 627.311, F.S.; deleting an obsolete presuit notice requirement for the Florida Automobile Joint Underwriting Association; amending s. 627.706, F.S.; deleting an obsolete form filing deadline for sinkhole coverage; amending s. 627.7065, F.S.; deleting an obsolete reporting requirement for activities relating to the sinkhole database; repealing s. 627.7077, F.S., relating to a feasibility and cost-benefit study of a Florida Sinkhole Insurance Facility and other matters related to affordability and availability of sinkhole insurance; amending s. 627.712, F.S.; deleting an obsolete effective date for the exclusion of windstorm and contents coverage; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 636**, on motion by Senator Simmons, by two-thirds vote **HB 4081** was withdrawn from the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Budget.

On motion by Senator Simmons—

HB 4081—A bill to be entitled An act relating to the repeal of obsolete insurance provisions; amending s. 215.5595, F.S.; deleting an obsolete requirement for the State Board of Administration to transfer to the

Citizens Property Insurance Corporation certain funds of the Insurance Capital Build-Up Incentive Program; amending s. 627.311, F.S.; deleting an obsolete presuit notice requirement for the Florida Automobile Joint Underwriting Association; amending s. 627.706, F.S.; deleting an obsolete form filing deadline for sinkhole coverage; amending s. 627.7065, F.S.; deleting an obsolete reporting requirement for activities relating to the sinkhole database; repealing s. 627.7077, F.S., relating to a feasibility and cost-benefit study of a Florida Sinkhole Insurance Facility and other matters related to affordability and availability of sinkhole insurance; amending s. 627.712, F.S.; deleting an obsolete effective date for the exclusion of windstorm and contents coverage; providing an effective date.

—a companion measure, was substituted for **SB 636** and read the second time by title.

On motions by Senator Simmons, by two-thirds vote **HB 4081** was read the third time by title, passed and immediately 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

SB 638—A bill to be entitled An act relating to a residential property structural soundness evaluation grant program; amending s. 627.0629, F.S.; deleting an obsolete Citizens Property Insurance Corporation residential property structural soundness evaluation grant program; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 638**, on motion by Senator Simmons, by two-thirds vote **HB 4129** was withdrawn from the Committees on Banking and Insurance; Community Affairs; and Budget.

On motion by Senator Simmons—

HB 4129—A bill to be entitled An act relating to a residential property structural soundness evaluation grant program; amending s. 627.0629, F.S.; deleting an obsolete Citizens Property Insurance Corporation residential property structural soundness evaluation grant program; providing an effective date.

—a companion measure, was substituted for **SB 638** and read the second time by title.

On motions by Senator Simmons, by two-thirds vote **HB 4129** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Altman	Dockery	Hill
Benacquisto	Evers	Jones
Bennett	Fasano	Joyner
Bogdanoff	Flores	Latvala
Braynon	Gaetz	Lynn
Dean	Garcia	Margolis
Detert	Gardiner	Montford
Diaz de la Portilla	Hays	Negron

Norman	Sachs	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise
Richter	Smith	
Ring	Sobel	

Nays—None

Vote after roll call:

Yea—Mr. President

SB 330—A bill to be entitled An act relating to violations of the Florida Election Code; creating s. 104.2715, F.S.; providing that a candidate who, in a primary or other election, falsely represents that he or she served or is currently serving in the military, commits a violation of the Florida Election Code; permitting any person to file a complaint with the Florida Elections Commission alleging that a candidate has falsely represented his or her military service; requiring that the commission adopt rules to provide for an expedited hearing for complaints filed with the commission; requiring that the Director of the Division of Administrative Hearings assign an administrative law judge to provide an expedited hearing in certain cases; requiring the commission or administrative law judge to assess a civil penalty of up to a specified amount against a candidate who is found to have falsely misrepresented his or her military service; providing an effective date.

—was read the second time by title. On motions by Senator Gaetz, by two-thirds vote **SB 330** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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	
Gaetz	Oelrich	

Nays—None

Vote after roll call:

Yea—Mr. President

Consideration of **CS for CS for SB 170** was deferred.

SB 1100—A bill to be entitled An act relating to residence of the clerk of the circuit court; repealing s. 28.08, F.S., relating to the clerk of the circuit court's place of residence; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1100**, on motion by Senator Detert, by two-thirds vote **HB 4067** was withdrawn from the Committee on Judiciary.

On motion by Senator Detert—

HB 4067—A bill to be entitled An act relating to residence of the clerk of the circuit court; repealing s. 28.08, F.S., relating to the clerk of the circuit court's place of residence; providing an effective date.

—a companion measure, was substituted for **SB 1100** and read the second time by title.

On motions by Senator Detert, by two-thirds vote **HB 4067** was read the third time by title, passed and immediately 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

CS for SB 382—A bill to be entitled An act relating to property taxation; amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing payment requirements; authorizing the tax collector to charge a fee to cover the costs to the tax collector for electronic tax deed programs or services; providing an effective date.

—was read the second time by title. On motions by Senator Bogdanoff, by two-thirds vote **CS for SB 382** was read the third time by title, passed and immediately 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

SB 462—A bill to be entitled An act relating to the Beverage Law; amending ss. 561.15 and 561.17, F.S.; exempting performance arts centers from obtaining approval from the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation of volunteer officers or directors of the performing arts center or of changes in such positions; providing an effective date.

—was read the second time by title. On motions by Senator Latvala, by two-thirds vote **SB 462** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Rich	Simmons	Thrasher
Richter	Siplin	Wise
Ring	Smith	
Sachs	Sobel	

Nays—1

Storms

Vote after roll call:

Yea—Garcia

CS for SB 312—A bill to be entitled An act relating to the practice of dentistry; requiring persons who apply for licensure renewal as a dentist or dental hygienist to furnish certain information to the Department of Health in a dental workforce survey; requiring the Board of Dentistry to issue a nondisciplinary citation and a notice for failure to complete the survey within a specified time; providing notification requirements for the citation; requiring the department to serve as the coordinating body for the purpose of collecting, disseminating, and updating dental workforce data; requiring the department to maintain a database regarding the state’s dental workforce; requiring the department to develop strategies to maximize federal and state programs and to work with an advisory body to address matters relating to the state’s dental workforce; providing membership of the advisory body; providing for members of the advisory body to serve without compensation; requiring the department to act as a clearinghouse for collecting and disseminating information regarding the dental workforce; requiring the department and the board to adopt rules; providing legislative intent regarding implementation of the act within existing resources; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; amending s. 624.91, F.S.; revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor; providing an effective date.

—was read the second time by title. On motions by Senator Richter, by two-thirds vote **CS for SB 312** was read the third time by title, passed and immediately 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 968—A bill to be entitled An act relating to boating safety; amending s. 327.395, F.S.; providing an exemption from the requirement that certain persons must possess a boating safety identification card while operating a motor vessel of a specified horsepower or greater; amending s. 327.54, F.S.; requiring liveries to require that a person present a valid boater safety identification card or provide proof that the person passed the boating education safety course or examination; providing an effective date.

—was read the second time by title. On motions by Senator Dean, by two-thirds vote **CS for SB 968** was read the third time by title, passed and immediately 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 960—A bill to be entitled An act relating to liquefied petroleum gas; 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 future expiration of such requirements; 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; providing an effective date.

—was read the second time by title. On motions by Senator Bennett, by two-thirds vote **CS for SB 960** was read the third time by title, passed and immediately 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 650** was removed by objection.

SB 1142—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; specifying that occupation and maintenance of property satisfies the requirements for possession for purposes of gaining title to property via adverse possession without color of title; requiring a person seeking property by adverse possession to use a uniform adverse possession return provided by the Department of Revenue; requiring the property appraiser to notify the owner of record of an adverse possession claim; requiring that a person claiming adverse possession attest to the truthfulness of the information provided in the return under penalty of perjury; authorizing the Department of Revenue to adopt emergency rules; requiring that the property appraiser add certain information related to the adverse possession claim to the parcel information on the tax roll and prescribing conditions for removal of that information; prescribing procedures and requirements for adverse possession claims against a portion of an identified parcel or against property to which the property appraiser has not assigned a parcel number; requiring the property appraiser to include a notation of an adverse possession filing in any searchable property database maintained by the property appraiser; amending s. 197.212, F.S.; excluding property sub-

ject to adverse possession claims without color of title from provisions authorizing the tax collector not to send a tax notice for minimum tax bills; creating s. 197.3335, F.S.; requiring the tax collector to determine whether a duplicate tax payment is made by an adverse possessor; providing for priority of tax payments made by an owner of record who is subject to an adverse possession claim; providing for a refund of tax payments under certain conditions; providing for retroactive application of certain provisions governing procedures for administering a claim of adverse possession and establishing tax priority for owners of record; providing an effective date.

—was read the second time by title. On motions by Senator Dockery, by two-thirds vote **SB 1142** was read the third time by title, passed and immediately 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 702—A bill to be entitled An act relating to umbilical cord blood banking; requiring the Department of Health to post on its website certain resources and a website link to specified materials regarding umbilical cord blood banking; requiring the department to encourage certain health care providers to make available to their pregnant patients information related to umbilical cord blood banking; providing that a health care provider or health care facility and its employees or agents are not liable for damages in a civil action, subject to prosecution in a criminal proceeding, or subject to disciplinary action by the appropriate regulatory board for acting in good faith to comply with the act; providing an effective date.

—was read the second time by title. On motions by Senator Flores, by two-thirds vote **SB 702** was read the third time by title, passed and immediately 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 246—A bill to be entitled An act relating to human trafficking; creating s. 480.0535, F.S.; requiring operators of massage establishments to maintain valid work authorization documents on the premises for each employee who is not a United States citizen; requiring presentation of such documents upon request of a law enforcement officer; prohibiting the use of a massage establishment license for the

purpose of lewdness, assignation, or prostitution; providing criminal penalties; amending s. 921.0022, F.S.; including within the severity ranking chart of the Criminal Punishment Code certain offenses prohibited by the act; providing an effective date.

—was read the second time by title. On motions by Senator Joyner, by two-thirds vote **CS for SB 246** was read the third time by title, passed and immediately 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 400—A bill to be entitled An act relating to treatment-based drug court programs; amending s. 397.334, F.S.; requiring all offenders sentenced to a postadjudicatory drug court program who are drug court participants and who are the subject of a violation of probation or community control hearing under specified provisions to have the violation of probation or community control heard by the judge presiding over the drug court program; providing that treatment-based drug court programs may include postadjudicatory programs provided under specified provisions; amending s. 921.0026, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.01, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.06, F.S.; making defendants other than those who have violated probation or community control by a failed or suspect substance abuse test eligible for postadjudicatory treatment-based drug court programs; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; amending s. 948.20, F.S.; increasing the number of Criminal Punishment Code scoresheet total sentence points that a defendant may have and be eligible for a postadjudicatory treatment-based drug court program; providing an effective date.

—was read the second time by title. On motions by Senator Wise, by two-thirds vote **CS for SB 400** was read the third time by title, passed and immediately 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 240—A bill to be entitled An act relating to violations of injunctions for protection; amending s. 784.047, F.S.; adding circumstances that violate an injunction for protection against repeat violence, sexual violence, or dating violence; providing an effective date.

—was read the second time by title. On motions by Senator Joyner, by two-thirds vote **SB 240** was read the third time by title, passed and immediately 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 170—A bill to be entitled An act relating to electronic filing and receipt of court documents; creating ss. 27.341 and 27.5112, F.S.; requiring each state attorney and public defender to electronically file court documents with the clerk of the court and receive court documents from the clerk of the court; defining the term “court documents”; providing legislative expectations that the state attorneys and public defenders consult with specified entities; requiring the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the Speaker of the House of Representatives by a specified date on the progress made to use the Florida Courts E-Portal system or the clerks’ offices portals to electronically file and receive court documents; providing an effective date.

—was read the second time by title.

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (288966) (with title amendment)—Between lines 95 and 96 insert:

Section 3. Subsections (1) and (8) of section 440.192, Florida Statutes, are amended to read:

440.192 Procedure for resolving benefit disputes.—

(1) Any employee may, for any benefit that is ripe, due, and owing, file by certified mail, or by electronic means approved by the Deputy Chief Judge, with the Office of the Judges of Compensation Claims a petition for benefits which meets the requirements of this section and the definition of specificity in s. 440.02. *An employee represented by an attorney shall file by electronic means approved by the Deputy Chief Judge. An employee not represented by an attorney may file by certified mail or by electronic means approved by the Deputy Chief Judge.* The department shall inform employees of the location of the Office of the Judges of Compensation Claims and the office’s website address for purposes of filing a petition for benefits. The employee shall also serve copies of the petition for benefits by certified mail, or by electronic means approved by the Deputy Chief Judge, upon the employer and the employer’s carrier. The Deputy Chief Judge shall refer the petitions to the judges of compensation claims.

(8) Within 14 days after receipt of a petition for benefits by certified mail or by approved electronic means, the carrier must either pay the requested benefits without prejudice to its right to deny within 120 days from receipt of the petition or file a response to petition with the Office of the Judges of Compensation Claims. *The response shall be filed by electronic means approved by the Deputy Chief Judge.* The carrier must list all benefits requested but not paid and explain its justification for nonpayment in the response to petition. A carrier that does not deny

compensability in accordance with s. 440.20(4) is deemed to have accepted the employee’s injuries as compensable, unless it can establish material facts relevant to the issue of compensability that could not have been discovered through reasonable investigation within the 120-day period. The carrier shall provide copies of the response to the filing party, employer, and claimant by certified mail or by electronic means approved by the Deputy Chief Judge.

Section 4. Subsection (1) and paragraphs (a), (c), and (e) of subsection (4) of section 440.25, Florida Statutes, are amended to read:

440.25 Procedures for mediation and hearings.—

(1) Forty days after a petition for benefits is filed under s. 440.192, the judge of compensation claims shall notify the interested parties by order that a mediation conference concerning such petition has been scheduled unless the parties have notified the judge of compensation claims that a private mediation has been held or is scheduled to be held. A mediation, whether private or public, shall be held within 130 days after the filing of the petition. Such order must give the date the mediation conference is to be held. Such order may be served personally upon the interested parties or may be sent to the interested parties by mail or by electronic means approved by the Deputy Chief Judge. If multiple petitions are pending, or if additional petitions are filed after the scheduling of a mediation, the judge of compensation claims shall consolidate all petitions into one mediation. The claimant or the adjuster of the employer or carrier may, at the mediator’s discretion, attend the mediation conference by telephone or, if agreed to by the parties, other electronic means. A continuance may be granted upon the agreement of the parties or if the requesting party demonstrates to the judge of compensation claims that the reason for requesting the continuance arises from circumstances beyond the party’s control. Any order granting a continuance must set forth the date of the rescheduled mediation conference. A mediation conference may not be used solely for the purpose of mediating attorney’s fees.

(4)(a) If the parties fail to agree to written submission of pretrial stipulations, the judge of compensation claims shall conduct a live pretrial hearing. The judge of compensation claims shall give the interested parties at least 14 days’ advance notice of the pretrial hearing by mail or by electronic means approved by the Deputy Chief Judge.

(c) The judge of compensation claims shall give the interested parties at least 14 days’ advance notice of the final hearing, served upon the interested parties by mail or by electronic means approved by the Deputy Chief Judge.

(e) The order making an award or rejecting the claim, referred to in this chapter as a “compensation order,” shall set forth the findings of ultimate facts and the mandate; and the order need not include any other reason or justification for such mandate. The compensation order shall be filed in the Office of the Judges of Compensation Claims at Tallahassee. A copy of such compensation order shall be sent by mail or by electronic means approved by the Deputy Chief Judge to the parties and attorneys of record and any parties not represented by an attorney at the last known address of each, with the date of mailing noted thereon.

Section 5. Subsection (3) of section 440.29, Florida Statutes, is amended to read:

440.29 Procedure before the judge of compensation claims.—

(3) The practice and procedure before the judges of compensation claims shall be governed by rules adopted by the Office of the Judges of Compensation Claims Supreme Court, except to the extent that such rules conflict with the provisions of this chapter.

Section 6. Subsection (4) of section 440.45, Florida Statutes, is amended to read:

440.45 Office of the Judges of Compensation Claims.—

(4) The Office of the Judges of Compensation Claims shall adopt rules to carry out effect the purposes of this section. Such rules must shall include procedural rules applicable to workers’ compensation claim resolution, including rules requiring electronic filing and service where deemed appropriate by the Deputy Chief Judge, and uniform criteria for measuring the performance of the office, including, but not limited to, the number of cases assigned and resolved disposed, the age of pending

and ~~resolved disposed~~ cases, timeliness of ~~decisions decisionmaking~~, extraordinary fee awards, and other data necessary for the judicial nominating commission to review the performance of judges as required in paragraph (2)(c). ~~The workers' compensation rules of procedure approved by the Supreme Court apply until the rules adopted by the Office of the Judges of Compensation Claims pursuant to this section become effective.~~

Section 7. Subsection (5) of section 120.52, Florida Statutes, is amended to read:

120.52 Definitions.—As used in this act:

(5) “Division” means the Division of Administrative Hearings. *Any document filed with the division by a party represented by an attorney shall be filed by electronic means through the division’s website. Any document filed with the division by a party not represented by an attorney shall, whenever possible, be filed by electronic means through the division’s website.*

Section 8. Paragraph (b) of subsection (5) of section 120.54, Florida Statutes, is amended to read:

120.54 Rulemaking.—

(5) UNIFORM RULES.—

(b) The uniform rules of procedure adopted by the commission pursuant to this subsection shall include, but are not limited to:

1. Uniform rules for the scheduling of public meetings, hearings, and workshops.

2. Uniform rules for use by each state agency that provide procedures for conducting public meetings, hearings, and workshops, and for taking evidence, testimony, and argument at such public meetings, hearings, and workshops, in person and by means of communications media technology. The rules shall provide that all evidence, testimony, and argument presented shall be afforded equal consideration, regardless of the method of communication. If a public meeting, hearing, or workshop is to be conducted by means of communications media technology, or if attendance may be provided by such means, the notice shall so state. The notice for public meetings, hearings, and workshops utilizing communications media technology shall state how persons interested in attending may do so and shall name locations, if any, where communications media technology facilities will be available. Nothing in this paragraph shall be construed to diminish the right to inspect public records under chapter 119. Limiting points of access to public meetings, hearings, and workshops subject to the provisions of s. 286.011 to places not normally open to the public shall be presumed to violate the right of access of the public, and any official action taken under such circumstances is void and of no effect. Other laws relating to public meetings, hearings, and workshops, including penal and remedial provisions, shall apply to public meetings, hearings, and workshops conducted by means of communications media technology, and shall be liberally construed in their application to such public meetings, hearings, and workshops. As used in this subparagraph, “communications media technology” means the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available.

3. Uniform rules of procedure for the filing of notice of protests and formal written protests. The Administration Commission may prescribe the form and substantive provisions of a required bond.

4. Uniform rules of procedure for the filing of petitions for administrative hearings pursuant to s. 120.569 or s. 120.57. Such rules shall require the petition to include:

a. The identification of the petitioner, *including the petitioner’s e-mail address, if any, for the transmittal of subsequent documents by electronic means.*

b. A statement of when and how the petitioner received notice of the agency’s action or proposed action.

c. An explanation of how the petitioner’s substantial interests are or will be affected by the action or proposed action.

d. A statement of all material facts disputed by the petitioner or a statement that there are no disputed facts.

e. A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the agency’s proposed action.

f. A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency’s proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes.

g. A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the proposed action.

5. Uniform rules for the filing of request for administrative hearing by a respondent in agency enforcement and disciplinary actions. Such rules shall require a request to include:

a. The name, address, *e-mail address*, and telephone number of the party making the request and the name, address, and telephone number of the party’s counsel or qualified representative upon whom service of pleadings and other papers shall be made;

b. A statement that the respondent is requesting an administrative hearing and disputes the material facts alleged by the petitioner, in which case the respondent shall identify those material facts that are in dispute, or that the respondent is requesting an administrative hearing and does not dispute the material facts alleged by the petitioner; and

c. A reference by file number to the administrative complaint that the party has received from the agency and the date on which the agency pleading was received.

The agency may provide an election-of-rights form for the respondent’s use in requesting a hearing, so long as any form provided by the agency calls for the information in sub-subparagraphs a. through c. and does not impose any additional requirements on a respondent in order to request a hearing, unless such requirements are specifically authorized by law.

6. Uniform rules of procedure for the filing and prompt disposition of petitions for declaratory statements. The rules shall also describe the contents of the notices that must be published in the Florida Administrative Weekly under s. 120.565, including any applicable time limit for the filing of petitions to intervene or petitions for administrative hearing by persons whose substantial interests may be affected.

7. Provision of a method by which each agency head shall provide a description of the agency’s organization and general course of its operations. The rules shall require that the statement concerning the agency’s organization and operations be published on the agency’s website.

8. Uniform rules establishing procedures for granting or denying petitions for variances and waivers pursuant to s. 120.542.

Section 9. Paragraph (b) of subsection (4) of section 57.111, Florida Statutes, is amended to read:

57.111 Civil actions and administrative proceedings initiated by state agencies; attorneys’ fees and costs.—

(4)

(b)1. To apply for an award under this section, the attorney for the prevailing small business party must submit an itemized affidavit to the court which first conducted the adversarial proceeding in the underlying action, or *by electronic means through the division’s website* to the Division of Administrative Hearings which shall assign an administrative law judge, in the case of a proceeding pursuant to chapter 120, which affidavit shall reveal the nature and extent of the services rendered by the attorney as well as the costs incurred in preparations, motions, hearings, and appeals in the proceeding.

2. The application for an award of attorney’s fees must be made within 60 days after the date that the small business party becomes a prevailing small business party.

Section 10. Paragraphs (c) and (d) of subsection (1) of section 120.56, Florida Statutes, are amended to read:

120.56 Challenges to rules.—

(1) GENERAL PROCEDURES FOR CHALLENGING THE VALIDITY OF A RULE OR A PROPOSED RULE.—

(c) The petition shall be filed *by electronic means* with the division which shall, immediately upon filing, forward *by electronic means* copies to the agency whose rule is challenged, the Department of State, and the committee. Within 10 days after receiving the petition, the division director shall, if the petition complies with the requirements of paragraph (b), assign an administrative law judge who shall conduct a hearing within 30 days thereafter, unless the petition is withdrawn or a continuance is granted by agreement of the parties or for good cause shown. Evidence of good cause includes, but is not limited to, written notice of an agency's decision to modify or withdraw the proposed rule or a written notice from the chair of the committee stating that the committee will consider an objection to the rule at its next scheduled meeting. The failure of an agency to follow the applicable rulemaking procedures or requirements set forth in this chapter shall be presumed to be material; however, the agency may rebut this presumption by showing that the substantial interests of the petitioner and the fairness of the proceedings have not been impaired.

(d) Within 30 days after the hearing, the administrative law judge shall render a decision and state the reasons therefor in writing. The division shall forthwith transmit *by electronic means* copies of the administrative law judge's decision to the agency, the Department of State, and the committee.

Section 11. Paragraph (a) of subsection (2) of section 120.569, Florida Statutes, is amended to read:

120.569 Decisions which affect substantial interests.—

(2)(a) Except for any proceeding conducted as prescribed in s. 120.56, a petition or request for a hearing under this section shall be filed with the agency. If the agency requests an administrative law judge from the division, it shall so notify the division *by electronic means through the division's website* within 15 days after receipt of the petition or request. A request for a hearing shall be granted or denied within 15 days after receipt. On the request of any agency, the division shall assign an administrative law judge with due regard to the expertise required for the particular matter. The referring agency shall take no further action with respect to a proceeding under s. 120.57(1), except as a party litigant, as long as the division has jurisdiction over the proceeding under s. 120.57(1). Any party may request the disqualification of the administrative law judge by filing an affidavit with the division prior to the taking of evidence at a hearing, stating the grounds with particularity.

Section 12. Paragraph (d) of subsection (3) of section 120.57, Florida Statutes, is amended to read:

120.57 Additional procedures for particular cases.—

(3) ADDITIONAL PROCEDURES APPLICABLE TO PROTESTS TO CONTRACT SOLICITATION OR AWARD.—Agencies subject to this chapter shall use the uniform rules of procedure, which provide procedures for the resolution of protests arising from the contract solicitation or award process. Such rules shall at least provide that:

(d)1. The agency shall provide an opportunity to resolve the protest by mutual agreement between the parties within 7 days, excluding Saturdays, Sundays, and state holidays, after receipt of a formal written protest.

2. If the subject of a protest is not resolved by mutual agreement within 7 days, excluding Saturdays, Sundays, and state holidays, after receipt of the formal written protest, and if there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to subsection (2) and applicable agency rules before a person whose qualifications have been prescribed by rules of the agency.

3. If the subject of a protest is not resolved by mutual agreement within 7 days, excluding Saturdays, Sundays, and state holidays, after receipt of the formal written protest, and if there is a disputed issue of material fact, the agency shall refer the protest to the division *by elec-*

tronic means through the division's website for proceedings under subsection (1).

Section 13. Subsection (1) of section 552.40, Florida Statutes, is amended to read:

552.40 Administrative remedy for alleged damage due to the use of explosives in connection with construction materials mining activities.—

(1) A person may initiate an administrative proceeding to recover damages resulting from the use of explosives in connection with construction materials mining activities by filing a petition with the Division of Administrative Hearings *by electronic means through the division's website* on a form provided by it and accompanied by a filing fee of \$100 within 180 days after the occurrence of the alleged damage. If the petitioner submits an affidavit stating that the petitioner's annual income is less than 150 percent of the applicable federal poverty guideline published in the Federal Register by the United States Department of Health and Human Services, the \$100 filing fee must be waived.

Section 14. Paragraph (b) of subsection (4) of section 553.73, Florida Statutes, is amended to read:

553.73 Florida Building Code.—

(4)

(b) Local governments may, subject to the limitations of this section, adopt amendments to the technical provisions of the Florida Building Code which apply solely within the jurisdiction of such government and which provide for more stringent requirements than those specified in the Florida Building Code, not more than once every 6 months. A local government may adopt technical amendments that address local needs if:

1. The local governing body determines, following a public hearing which has been advertised in a newspaper of general circulation at least 10 days before the hearing, that there is a need to strengthen the requirements of the Florida Building Code. The determination must be based upon a review of local conditions by the local governing body, which review demonstrates by evidence or data that the geographical jurisdiction governed by the local governing body exhibits a local need to strengthen the Florida Building Code beyond the needs or regional variation addressed by the Florida Building Code, that the local need is addressed by the proposed local amendment, and that the amendment is no more stringent than necessary to address the local need.

2. Such additional requirements are not discriminatory against materials, products, or construction techniques of demonstrated capabilities.

3. Such additional requirements may not introduce a new subject not addressed in the Florida Building Code.

4. The enforcing agency shall make readily available, in a usable format, all amendments adopted pursuant to this section.

5. Any amendment to the Florida Building Code shall be transmitted within 30 days by the adopting local government to the commission. The commission shall maintain copies of all such amendments in a format that is usable and obtainable by the public. Local technical amendments shall not become effective until 30 days after the amendment has been received and published by the commission.

6. Any amendment to the Florida Building Code adopted by a local government pursuant to this paragraph shall be effective only until the adoption by the commission of the new edition of the Florida Building Code every third year. At such time, the commission shall review such amendment for consistency with the criteria in paragraph (9)(a) and adopt such amendment as part of the Florida Building Code or rescind the amendment. The commission shall immediately notify the respective local government of the rescission of any amendment. After receiving such notice, the respective local government may readopt the rescinded amendment pursuant to the provisions of this paragraph.

7. Each county and municipality desiring to make local technical amendments to the Florida Building Code shall by interlocal agreement establish a countywide compliance review board to review any amendment to the Florida Building Code, adopted by a local government within

the county pursuant to this paragraph, that is challenged by any substantially affected party for purposes of determining the amendment's compliance with this paragraph. If challenged, the local technical amendments shall not become effective until time for filing an appeal pursuant to subparagraph 8. has expired or, if there is an appeal, until the commission issues its final order determining the adopted amendment is in compliance with this subsection.

8. If the compliance review board determines such amendment is not in compliance with this paragraph, the compliance review board shall notify such local government of the noncompliance and that the amendment is invalid and unenforceable until the local government corrects the amendment to bring it into compliance. The local government may appeal the decision of the compliance review board to the commission. If the compliance review board determines such amendment to be in compliance with this paragraph, any substantially affected party may appeal such determination to the commission. Any such appeal shall be filed with the commission within 14 days of the board's written determination. The commission shall promptly refer the appeal to the Division of Administrative Hearings by *electronic means through the division's website* for the assignment of an administrative law judge. The administrative law judge shall conduct the required hearing within 30 days, and shall enter a recommended order within 30 days of the conclusion of such hearing. The commission shall enter a final order within 30 days thereafter. The provisions of chapter 120 and the uniform rules of procedure shall apply to such proceedings. The local government adopting the amendment that is subject to challenge has the burden of proving that the amendment complies with this paragraph in proceedings before the compliance review board and the commission, as applicable. Actions of the commission are subject to judicial review pursuant to s. 120.68. The compliance review board shall determine whether its decisions apply to a respective local jurisdiction or apply countywide.

9. An amendment adopted under this paragraph shall include a fiscal impact statement which documents the costs and benefits of the proposed amendment. Criteria for the fiscal impact statement shall include the impact to local government relative to enforcement, the impact to property and building owners, as well as to industry, relative to the cost of compliance. The fiscal impact statement may not be used as a basis for challenging the amendment for compliance.

10. In addition to subparagraphs 7. and 9., the commission may review any amendments adopted pursuant to this subsection and make nonbinding recommendations related to compliance of such amendments with this subsection.

Section 15. Paragraph (b) of subsection (4) of section 961.03, Florida Statutes, is amended to read:

961.03 Determination of status as a wrongfully incarcerated person; determination of eligibility for compensation.—

(4)

(b) If the prosecuting authority responds as set forth in paragraph (2)(b), and the court determines that the petitioner is eligible under the provisions of s. 961.04, but the prosecuting authority contests the nature, significance or effect of the evidence of actual innocence, or the facts related to the petitioner's alleged wrongful incarceration, the court shall set forth its findings and transfer the petition by *electronic means through the division's website* to the division for findings of fact and a recommended determination of whether the petitioner has established that he or she is a wrongfully incarcerated person who is eligible for compensation under this act.

And the title is amended as follows:

Delete lines 3-17 and insert: court and other legal documents; creating ss. 27.341 and 27.5112, F.S.; requiring each state attorney and public defender to electronically file court documents with the clerk of the court and receive court documents from the clerk of the court; defining the term "court documents"; providing legislative expectations that the state attorneys and public defenders consult with specified entities; requiring the Florida Prosecuting Attorneys Association and the Florida Public Defender Association report to the President of the Senate and the Speaker of the House of Representatives by a specified date on the progress made to use the Florida Courts E-Portal system or the clerks'

offices portals to electronically file and receive court documents; amending ss. 440.192 and 440.25, F.S.; providing for electronic procedures for filing documents and resolving benefit disputes in workers' compensation proceedings; requiring a response to a petition for workers' compensation benefits to be filed by approved electronic means; amending ss. 440.29 and 440.45, F.S.; requiring that the practice and procedure before the judges of compensation claims be governed by the Office of the Judges of Compensation Claims instead of the Supreme Court; authorizing the Office of the Judges of Compensation Claims to adopt rules to implement electronic procedures; amending s. 120.52, F.S.; requiring use of electronic procedures by those represented by an attorney; amending s. 120.54, F.S.; requiring a petitioner requesting an administrative hearing to include the petitioner's e-mail address; amending ss. 57.111, 120.56, 120.569, 120.57, 552.40, 553.73, and 961.03, F.S.; providing for electronic procedures in administrative proceedings; providing an effective date.

On motions by Senator Bennett, by two-thirds vote **CS for CS for SB 170** 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—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

SPECIAL ORDER CALENDAR

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

Consideration of **SB 2000** and **SB 2002** was deferred.

On motion by Senator Simmons—

SB 2120—A bill to be entitled An act relating to K-12 education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.25, F.S.; requiring that the Department of Education provide a means of extending educational services through educational television or other electronic media; amending s. 1001.271, F.S.; requiring that the Commissioner of Education facilitate and coordinate the use of the Florida Information Resource Network by school districts, educational institutions in the Florida College System, state universities, and other eligible users; amending s. 1001.28, F.S.; deleting a reference to the Florida Knowledge Network as it relates to the department's distance learning duties; amending s. 1001.451, F.S.; revising provisions relating to incentive grants for regional consortium service organizations; authorizing regional consortium service organizations to use various means to generate revenue for future activities; amending s. 1002.33, F.S.; revising provisions relating to charter schools; providing for an additional student population to be included for enrollment in a charter school; providing that a charter school system may be designated as a local edu-

cational agency for funding purposes if certain requirements are met; amending s. 1002.34, F.S.; conforming a cross-reference; amending s. 1003.01, F.S.; redefining the terms “core-curricula courses” and “extra-curricular courses”; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; amending s. 1004.02, F.S.; revising the definition of the term “adult student”; creating s. 1006.282, F.S.; authorizing each district school board to designate schools to implement a pilot program for the transition to instructional materials in an electronic or digital format; providing definitions; providing requirements for the designation of pilot schools; providing exemptions for such schools; requiring that the district school board report to the department by a specified date each year; requiring that the report include certain information; requiring that each district school board submit a review of the pilot program to the department, the Executive Office of the Governor, and the chairs of the legislative appropriations committees by a specified date each year; amending s. 1011.62, F.S.; revising provisions relating to district funding for the operation of schools; deleting provisions relating to the coenrollment of high school students; providing the maximum full-time equivalent membership value for students completing an industry-certified career and professional academy program; requiring that the Department of Education assign the appropriate full-time equivalent value for each certification based on rigor and employment value; requiring that the State Board of Education include the assigned values in the Industry Certification Funding List under rules adopted by the state board; creating s. 1011.621, F.S.; requiring that the Department of Education, upon request by a school district and verification by the Department of Juvenile Justice, direct a school district receiving funds through the Florida Education Finance Program to transfer a pro rata share of the funds to another district that served the same students during the same survey period but were unable to report the students for funding purposes; requiring that the amount of the transfer be based on the percentage of the survey period in which the students were served by each district; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; amending s. 1011.71, F.S.; revising provisions relating to the district school tax; providing for future expiration of provisions relating to additional millage levied by district school boards; authorizing district school boards to levy additional millage if approved by the voters; providing that the local funds generated by the additional millage not be included in the calculation of funding through the Florida Education Finance Program; amending s. 1012.225, F.S.; discontinuing state funding for the Merit Award Program for Instructional Personnel and School-Based Administrators; amending s. 1013.737, F.S.; changing the name of the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; adopting by reference the alternate compliance calculation amounts to the class size operating categorical, as submitted by the Governor on behalf of the Department of Education for approval by the Legislative Budget Commission; requiring that the Commissioner of Education modify payments to school districts for the 2010-2011 fiscal year consistent with the amendment; providing effective dates.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (625648) (with title amendment)—Delete lines 330-413 and insert:

(a) *Courses in language arts/reading, mathematics, social studies, and science in prekindergarten through grade 3;*

(b) *Courses in grades 4 through 8 in subjects that are measured by state assessment at any grade level and courses required for middle school promotion;*

(c) *Courses in grades 9 through 12 in subjects that are measured by state assessment at any grade level and courses that are specifically identified by name in statute as required for high school graduation and that are not measured by state assessment, excluding any extracurricular courses pursuant to subsection (15);*

(d) *Exceptional student education courses; and*

(e) *English for Speakers of Other Languages courses. ~~courses defined by the Department of Education as mathematics, language arts/reading, science, social studies, foreign language, English for Speakers of Other Languages, exceptional student education, and courses taught in traditional self-contained elementary school classrooms.~~*

The term is limited in meaning and used for the sole purpose of designating classes that are subject to the maximum class size requirements established in s. 1, Art. IX of the State Constitution. This term does not include courses offered under ss. 1002.37, 1002.415, and 1002.45.

(15) “Extracurricular courses” means all courses that are not defined as “core-curricula courses,” which may include, but are not limited to, physical education, fine arts, performing fine arts, and career education, and courses that may result in college credit. The term is limited in meaning and used for the sole purpose of designating classes that are not subject to the maximum class size requirements established in s. 1, Art. IX of the State Constitution.

Section 10. Subsections (1) and (2) of section 1003.03, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

1003.03 Maximum class size.—

(1) ~~CONSTITUTIONAL CLASS SIZE MAXIMUMS.—~~*Each year, on or before the October student membership survey, the following class size maximums shall be satisfied Pursuant to s. 1, Art. IX of the State Constitution, beginning in the 2010-2011 school year:*

(a) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for pre-kindergarten through grade 3 may not exceed 18 students.

(b) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for grades 4 through 8 may not exceed 22 students. *The maximum number of students assigned to a core-curricula high school course in which a student in grades 4 through 8 is enrolled shall be governed by the requirements in s. 1003.03(1)(c).*

(c) The maximum number of students assigned to each teacher who is teaching core-curricula courses in public school classrooms for grades 9 through 12 may not exceed 25 students.

These maximums shall be maintained after the October student membership survey, except as provided in paragraph (2)(b) or due to an extreme emergency beyond the control of the district school board.

(2) IMPLEMENTATION.—

(a) The Department of Education shall annually calculate class size measures described in subsection (1) based upon the October student membership survey.

(b) *A student who enrolls in a school after the October student membership survey may be assigned to an existing class that temporarily exceeds the maximum number of students in subsection (1) if the district school board determines it to be impractical, educationally unsound, or disruptive to student learning to not assign the student to the class. If the district school board makes this determination:*

1. *Up to three students may be assigned to a teacher in kindergarten through grade 3 above the maximum as provided in paragraph (1)(a);*

2. *Up to five students may be assigned to a teacher in grades 4 through 12 above the maximum as provided in paragraphs (1)(b) and (1)(c), respectively; and*

3. *The district school board shall develop a plan that provides that the school will be in full compliance with the maximum class size in subsection (1) by the next October student membership survey.*

~~(b) Prior to the adoption of the district school budget for 2010-2011, each district school board shall hold public hearings and provide information to parents on the district's website, and through any other means by which the district provides information to parents and the public, on the district's strategies to meet the requirements in subsection (1).~~

(6) *COURSES FOR COMPLIANCE.—Consistent with the provisions in ss. 1003.01(14) and 1003.428, the Department of Education shall identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement in this section. The department may adopt rules to implement this subsection, if necessary.*

And the title is amended as follows:

Delete line 57 and insert: the next October student membership survey; requiring that the Department of Education identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement; authorizing the department to adopt rules; amending

Pursuant to Rule 4.19, **SB 2120** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SB 2150—A bill to be entitled An act relating to postsecondary education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.706, F.S.; prohibiting the Board of Governors from establishing and maintaining a foundation, a direct-support organization, or any similar entity; requiring that any funds currently held by the board in a foundation be returned to the donor; prohibiting the board from paying an employee compensation from a foundation, direct-support organization, or similar entity; amending s. 1004.091, F.S.; revising provisions relating to the duties of the Florida Distance Learning Consortium; requiring that the consortium implement a streamlined, automated, online registration process for transient students who are undergraduate students currently enrolled and pursuing a degree at a public postsecondary educational institution; requiring that the consortium work with the Florida College System and the State University System to implement the admissions application process; providing certain requirements for state universities and state colleges; amending s. 1006.72, F.S.; revising provisions relating to the licensing of electronic library resources; requiring that the Chancellor and Vice Chancellor of the Florida College System and the State University System report cost savings resulting from the collaborative licensing process to the Executive Office of the Governor and the chairs of the legislative appropriations committees; amending s. 1007.28, F.S.; revising provisions relating to the computer-assisted student advising system; requiring that the system provide a transient student admissions application process for certain students; creating s. 1009.215, F.S.; authorizing each university, with the approval of the Board of Governors of the State University System, to plan and implement a program for students to enroll for the spring and summer terms rather than the fall terms in order to align student enrollment with available instructional staff and facilities; providing for eligibility for the Bright Futures Scholarship to conform to periods of a student's enrollment; requiring each university that implements the plan to report to the Legislature by a specified date; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; revising the standard tuition for programs leading to a career certificate or an applied technology diploma; requiring that a block tuition be assessed for residents and nonresidents enrolled in adult general education programs; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an in-

crease; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.23, F.S.; revising provisions relating to community college student fees, including the standard tuition for residents and nonresidents and the out-of-state fee; authorizing each college to assess a transient student fee that does not exceed a specified amount per distance learning course; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; authorizing each university board of trustees to establish a transient student fee that does not exceed a specified amount per distance learning course for processing the transient student admissions application; revising provisions relating to the tuition differential; amending s. 1009.25, F.S.; deleting provisions that exempt students from paying tuition and fees for adult basic, adult secondary, or career preparatory instruction; creating s. 1009.251, F.S.; creating the STEM Scholarship Program; providing a purpose; providing definitions; providing eligibility requirements; providing that funds appropriated by the Legislature in the General Appropriations Act be allocated by the Office of Student Financial Assistance within the Department of Education; providing for the issuance of scholarship awards annually; authorizing the State Board of Education to establish rules; amending s. 1009.286, F.S.; revising provisions relating to a surcharge for hours exceeding baccalaureate degree program completion requirements at state universities; increasing the percentage of the tuition rate that must be paid; amending ss. 1009.55, 1009.56, 1009.57, 1009.60, 1009.68, and 1009.69, F.S.; requiring that the funding for the Rosewood Family Scholarship Program, the Seminole and Miccosukee Indian Scholarships, the Florida Teacher Scholarship and Forgivable Loan Program, the Minority Teacher Education Scholars Program, the Florida Minority Medical Education Program, and the Virgil Hawkins Fellows Assistance Program be as provided in the General Appropriations Act; amending s. 1009.701, F.S.; revising provisions relating to the First Generation Matching Grant Program; requiring that the first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; amending ss. 1009.73 and 1009.74, F.S.; providing that funding for the Mary McLeod Bethune Scholarship Program and the Theodore R. and Vivian M. Johnson Scholarship Program be as provided in the General Appropriations Act; amending s. 1009.77, F.S.; revising provisions relating to the Florida Work Experience Program; requiring that first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; requiring that the funding of the program be provided as in the General Appropriations Act; amending ss. 1009.89 and 1009.891, F.S.; requiring that funding of the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program be provided as in the General Appropriations Act; amending s. 1011.32, F.S.; providing that state matching funds for the Community College Facility Enhancement Challenge Grant Program be temporarily suspended for donations made after a specified date; providing that existing donations remain eligible for future matching funds; amending s. 1011.52, F.S.; deleting a provision that requires the Legislature to provide an annual appropriation to the first accredited medical school; amending s. 1011.61, F.S.; revising the definition of the term "full-time equivalent student"; amending s. 1011.80, F.S.; revising provisions relating to funds for the operation of workforce education programs; prohibiting the expenditure of funds for the education of state or federal inmates; prohibiting the reporting of a student who is coenrolled in a K-12 education program and an adult education program for funding purposes; amending s. 1011.81, F.S.; revising provisions relating to the Community College Program Fund to prohibit the expenditure of funds for the education of state or federal inmates; amending s. 1011.85, F.S.; revising provisions relating to the Dr. Philip Benjamin Matching Grant Program for Community Colleges; providing that funds received from community events, festivals, or other such activities are not eligible for state matching funds; providing that state matching funds under the program be temporarily suspended for donations after a specified date; providing that existing donations remain eligible for future matching funds; amending ss. 1011.94 and 1013.79, F.S.; providing that state matching funds for donations to the

University Major Gifts Program and the University Facility Enhancement Challenge Grant Program are temporarily suspended; providing that existing donations remain eligible for future matching funds; amending s. 1013.737, F.S.; revising the name of the Class Size Reduction Lottery Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; requiring that the Department of Education work with the College Center for Library Automation to transfer the Sunlink bibliographic database for inclusion in CCLA's online discovery tool product for the public to search; requiring that the department also develop an ongoing process to provide for the updating of such data; requiring that the Florida Center for Library Automation and the CCLA develop and submit a plan to the Governor and the Legislature for establishing a single postsecondary education union catalog; requiring that the Task Force for the Future of Academic Libraries in Florida submit a plan to the Governor and Legislature regarding the establishment of a joint library technology organizational structure; providing effective dates.

—was read the second time by title.

On motion by Senator Lynn, further consideration of **SB 2150** was deferred.

On motion by Senator Fasano—

SB 2114—A bill to be entitled An act relating to juvenile justice; creating s. 985.665, F.S.; providing legislative intent; defining the term “regional coordinating agency”; providing requirements for a regional coordinating agency; requiring the Department of Juvenile Justice to contract with regional coordinating agencies for specified services relating to juvenile justice; giving hiring preference to current department employees who meet provider qualifications if they apply for employment with the regional coordinating agencies; providing that the department may maintain certain statewide contracts in place on the effective date of the act; providing for annual measurement and reporting concerning the outcomes and effectiveness of community-based juvenile justice services; requiring regional coordinating agencies to comply with specified requirements; providing for liability of regional coordinating agencies and contracted providers with respect to the treatment of juvenile offenders; providing for governance of regional coordinating agencies; providing for 2-year pilot programs in specified judicial circuits; requiring that the regional coordinating agencies participating in the pilot programs be established organizations within the circuit; requiring the pilot programs to commence by a specified date; requiring annual evaluation reports to the Governor and Legislature; requiring reports; amending s. 985.441, F.S.; prohibiting a court from committing certain youth at a restrictiveness level other than minimum-risk non-residential; authorizing a court to commit certain youth to a low- or moderate-risk residential placement; amending ss. 985.0301, 985.033, and 985.46, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2114** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

SB 2116—A bill to be entitled An act relating to the state judicial system; creating the Judicial Caseload Incentive Plan; prescribing the purpose of the plan; providing for performance goals for each judicial circuit; authorizing financial awards to certain judges based on the performance of the circuit in meeting the goals; amending s. 27.511, F.S.; authorizing each office of criminal conflict and civil regional counsel to create a direct-support organization; prescribing requirements related to the creation and operation of the direct-support organization; amending s. 27.5304, F.S.; authorizing the Office of the State Courts Administrator to pay private court-appointed counsel if a court orders payment above specified flat-fee amounts; providing for a portion of such payments to be paid from funds appropriated to the office for that purpose; amending s. 318.18, F.S.; requiring the clerk of court and the Florida Clerks of Court Operations Corporation to submit reports on local traffic assessments in an electronic format; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2116** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn, the Senate resumed consideration of—

SB 2150—A bill to be entitled An act relating to postsecondary education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.706, F.S.; prohibiting the Board of Governors from establishing and maintaining a foundation, a direct-support organization, or any similar entity; requiring that any funds currently held by the board in a foundation be returned to the donor; prohibiting the board from paying an employee compensation from a foundation, direct-support organization, or similar entity; amending s. 1004.091, F.S.; revising provisions relating to the duties of the Florida Distance Learning Consortium; requiring that the consortium implement a streamlined, automated, online registration process for transient students who are undergraduate students currently enrolled and pursuing a degree at a public postsecondary educational institution; requiring that the consortium work with the Florida College System and the State University System to implement the admissions application process; providing certain requirements for state universities and state colleges; amending s. 1006.72, F.S.; revising provisions relating to the licensing of electronic library resources; requiring that the Chancellor and Vice Chancellor of the Florida College System and the State University System report cost savings resulting from the collaborative licensing process to the Executive Office of the Governor and the chairs of the legislative appropriations committees; amending s. 1007.28, F.S.; revising provisions relating to the computer-assisted student advising system; requiring that the system provide a transient student admissions application process for certain students; creating s. 1009.215, F.S.; authorizing each university, with the approval of the Board of Governors of the State University System, to plan and implement a program for students to enroll for the spring and summer terms rather than the fall terms in order to align student enrollment with available instructional staff and facilities; providing for eligibility for the Bright Futures Scholarship to conform to periods of a student's enrollment; requiring each university that implements the plan to report to the Legislature by a specified date; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; revising the standard tuition for programs leading to a career certificate or an applied technology diploma; requiring that a block tuition be assessed for residents and nonresidents enrolled in adult general education programs; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.23, F.S.; revising provisions relating to community college student fees, including the standard tuition for residents and nonresidents and the out-of-state fee; authorizing each college to assess a transient student fee that does not exceed a specified amount per distance learning course; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; authorizing each university board of trustees to establish a transient student fee that does not exceed a specified amount per distance learning course for processing the transient student admissions application; revising provisions relating to the tuition differ-

ential; amending s. 1009.25, F.S.; deleting provisions that exempt students from paying tuition and fees for adult basic, adult secondary, or career preparatory instruction; creating s. 1009.251, F.S.; creating the STEM Scholarship Program; providing a purpose; providing definitions; providing eligibility requirements; providing that funds appropriated by the Legislature in the General Appropriations Act be allocated by the Office of Student Financial Assistance within the Department of Education; providing for the issuance of scholarship awards annually; authorizing the State Board of Education to establish rules; amending s. 1009.286, F.S.; revising provisions relating to a surcharge for hours exceeding baccalaureate degree program completion requirements at state universities; increasing the percentage of the tuition rate that must be paid; amending ss. 1009.55, 1009.56, 1009.57, 1009.60, 1009.68, and 1009.69, F.S.; requiring that the funding for the Rosewood Family Scholarship Program, the Seminole and Miccosukee Indian Scholarships, the Florida Teacher Scholarship and Forgivable Loan Program, the Minority Teacher Education Scholars Program, the Florida Minority Medical Education Program, and the Virgil Hawkins Fellows Assistance Program be as provided in the General Appropriations Act; amending s. 1009.701, F.S.; revising provisions relating to the First Generation Matching Grant Program; requiring that the first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; amending ss. 1009.73 and 1009.74, F.S.; providing that funding for the Mary McLeod Bethune Scholarship Program and the Theodore R. and Vivian M. Johnson Scholarship Program be as provided in the General Appropriations Act; amending s. 1009.77, F.S.; revising provisions relating to the Florida Work Experience Program; requiring that first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; requiring that the funding of the program be provided as in the General Appropriations Act; amending ss. 1009.89 and 1009.891, F.S.; requiring that funding of the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program be provided as in the General Appropriations Act; amending s. 1011.32, F.S.; providing that state matching funds for the Community College Facility Enhancement Challenge Grant Program be temporarily suspended for donations made after a specified date; providing that existing donations remain eligible for future matching funds; amending s. 1011.52, F.S.; deleting a provision that requires the Legislature to provide an annual appropriation to the first accredited medical school; amending s. 1011.61, F.S.; revising the definition of the term "full-time equivalent student"; amending s. 1011.80, F.S.; revising provisions relating to funds for the operation of workforce education programs; prohibiting the expenditure of funds for the education of state or federal inmates; prohibiting the reporting of a student who is coenrolled in a K-12 education program and an adult education program for funding purposes; amending s. 1011.81, F.S.; revising provisions relating to the Community College Program Fund to prohibit the expenditure of funds for the education of state or federal inmates; amending s. 1011.85, F.S.; revising provisions relating to the Dr. Philip Benjamin Matching Grant Program for Community Colleges; providing that funds received from community events, festivals, or other such activities are not eligible for state matching funds; providing that state matching funds under the program be temporarily suspended for donations after a specified date; providing that existing donations remain eligible for future matching funds; amending ss. 1011.94 and 1013.79, F.S.; providing that state matching funds for donations to the University Major Gifts Program and the University Facility Enhancement Challenge Grant Program are temporarily suspended; providing that existing donations remain eligible for future matching funds; amending s. 1013.737, F.S.; revising the name of the Class Size Reduction Lottery Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; requiring that the Department of Education work with the College Center for Library Automation to transfer the Sunlink bibliographic database for inclusion in CCLA's online discovery tool product for the public to search; requiring that the department also develop an ongoing process to provide for the updating of such data; requiring that the Florida Center for Library Automation and the CCLA develop and submit a plan to the Governor and the Legislature for establishing a single postsecondary education union catalog; requiring that the Task Force for the Future of Academic Libraries in Florida submit a plan to the Governor and Legislature regarding the establishment of a joint library technology organizational structure; providing effective dates.

—which was previously considered this day.

Pursuant to Rule 4.19, **SB 2150** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

SB 2118—A bill to be entitled An act relating to criminal justice; repealing s. 16.61, F.S., relating to the Cybercrime Office within the Department of Legal Affairs; amending s. 943.13, F.S.; limiting the number of hours in the basic recruit training program required for correctional officers, unless the officer is otherwise exempt; creating s. 943.0415, F.S.; creating the Cybercrime Office within the Department of Law Enforcement to investigate certain violations of state law pertaining to the sexual exploitation of children; repealing ss. 951.231(1)(c) and 958.045, F.S., relating to the basic training program for youthful offenders within the Department of Corrections; transferring and reassigning functions and responsibilities of the Cybercrime Office from the Department of Legal Affairs to the Department of Law Enforcement; transferring, renumbering, and amending s. 938.25, F.S.; requiring a court to assess an additional amount against a defendant who pleads guilty or nolo contendere to, or who is convicted of, violating certain specified offenses, and the services of a criminal analysis laboratory are used in the investigation of the offense; providing for the proceeds of the assessment to be deposited into the Operating Trust Fund of the Department of Law Enforcement and used by the statewide criminal analysis laboratory system; prohibiting the court from waiving the assessment; amending ss. 921.187 and 943.361, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2118** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

SB 2112—A bill to be entitled An act relating to juvenile detention facilities; amending s. 985.686, F.S.; exempting a county that covers the costs of detention care for pre-adjudicated juveniles within its jurisdiction or other jurisdictions from certain requirements for sharing the costs for juvenile detention; amending s. 985.688, F.S.; providing that a county or county sheriff that meets certain prerequisites with respect to the operation of its juvenile detention facility is exempt from certain requirements of law governing the administration of such facilities; authorizing a county or county sheriff to operate regional detention facilities; requiring that the facility comply with federal requirements to separate juvenile inmates from adult inmates; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2112** was placed on the calendar of Bills on Third Reading.

SENATOR BENNETT PRESIDING

On motion by Senator Negron—

SB 2144—A bill to be entitled An act relating to Medicaid; amending s. 409.904, F.S.; providing for funding the Medicaid reimbursement for certain persons age 65 or older while the optional program is being phased out; renaming the "medically needy" program as the "Medicaid nonpoverty medical subsidy"; limiting certain categories of persons eligible for the subsidy to only physician services after a certain date; amending s. 409.905, F.S.; deleting the hospitalist program; amending s. 409.908, F.S.; revising the factors for calculating the maximum allowable fee for pharmaceutical ingredient costs; directing the Agency for Health Care Administration to establish reimbursement rates for the next fiscal year; amending s. 409.9082, F.S.; revising the aggregated amount of the quality assessment for nursing home facilities; amending s. 409.911, F.S.; updating references to data to be used for the disproportionate share program; amending s. 409.9112, F.S.; extending the prohibition against distributing moneys under the regional perinatal intensive care centers disproportionate share program for another year; amending s. 409.9113, F.S.; extending the disproportionate share program for teaching hospitals for another year; amending s. 409.9117, F.S.;

extending the prohibition against distributing moneys under the primary care disproportionate share program for another year; amending s. 409.912, F.S.; allowing the agency to continue to contract for electronic access to certain pharmacology drug information; eliminating the requirement to implement a wireless handheld clinical pharmacology drug information database for practitioners; revising the factors for calculating the maximum allowable fee for pharmaceutical ingredient costs; amending ss. 409.9122, 409.915, and 409.9301, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Rich moved the following amendment which was adopted:

Amendment 1 (282366) (with directory and title amendments)—Between lines 284 and 285 insert:

(3)

(d) Effective July 1, 2011 ~~2009~~, the agency ~~shall~~ ~~may~~ exempt from the quality assessment ~~any or apply a lower quality assessment rate to a~~ qualified public, nonstate-owned or operated nursing home facility whose total annual indigent census days are greater than ~~15~~ ~~25~~ percent of the facility's total annual census days.

And the directory clause is amended as follows:

Delete lines 253-254 and insert:

Section 4. Subsection (2) and paragraph (d) of subsection (3) of section 409.9082, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete line 17 and insert: nursing home facilities; exempting certain nursing home facilities from the quality assessment; amending s. 409.911, F.S.;

Pursuant to Rule 4.19, **SB 2144** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

SB 2146—A bill to be entitled An act relating to the Department of Children and Family Services; reordering and amending s. 39.903, F.S.; revising provisions relating to the department's duties with respect to domestic violence; providing that annual certification of domestic violence centers depends on a favorable review by the Florida Coalition Against Domestic Violence; authorizing the coalition to enter and inspect centers for monitoring purposes; requiring the department to contract with the coalition for the management of domestic violence service delivery and the monitoring of centers; requiring the department to contract with the Florida Council Against Sexual Violence with respect to the STOP Violence Against Women Grant Program; requiring the department to be the lead agency for grant application and for coordinating the state STOP Program implementation plan with input from the coalition; deleting the requirement that the department serve as an information clearinghouse on information relating to domestic violence and provide educational programs on domestic violence; amending s. 39.904, F.S.; revising the annual report to the Legislature on domestic violence to place responsibility for the report on the coalition and to revise the content of the report; amending s. 39.905, F.S.; revising provisions relating to the certification of domestic violence centers; providing that the grant, denial, suspension, or revocation of certification is not an administrative action subject to ch. 120, F.S.; amending ss. 381.006, 381.0072, 741.281, 741.2902, and 741.316, F.S.; conforming provisions to changes made by the act; amending s. 741.32, F.S.; deleting the requirement that batterers' intervention programs be certified; amending s. 741.325, F.S.; providing requirements for batterers' programs; repealing s. 741.327, F.S., relating to the certification and monitoring of batterers' intervention programs; amending s. 938.01, F.S.; conforming a cross-reference; amending s. 948.038, F.S.; conforming provisions to changes made by the act; amending s. 394.908, F.S.; directing funding appropriated for forensic mental health treatment services to state areas with the greatest demand; amending ss. 394.76 and 397.321, F.S.; authorizing the department to terminate contracts if funding becomes unavailable; creating s. 409.16713, F.S.; defining terms; providing for

the allocation of funding for community-based care lead agencies; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2146** was placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

SB 2148—A bill to be entitled An act relating to the Agency for Persons with Disabilities; prohibiting the agency from expending funds above the amount appropriated in the General Appropriations Act; requiring that the agency monitor monthly program expenditures and provide quarterly reports to the Governor and Legislature; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2148** was placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

On motion by Senator Hays—

SB 2122—A bill to be entitled An act relating to consumer protection; amending s. 20.14, F.S.; removing the Division of Dairy Industry within the department; amending s. 320.90, F.S.; requiring the Department of Legal Affairs, rather than the Department of Agriculture and Consumer Services, to distribute free of charge a motor vehicle consumer's rights pamphlet; amending s. 501.160, F.S.; providing for the state attorneys and the Department of Legal Affairs, rather than the Department of Agriculture and Consumer Services, to enforce the law prohibiting price gouging; reenacting s. 570.18, F.S., relating to the organization of the Department of Agriculture and Consumer Services, to incorporate the amendment made to s. 570.29, F.S., in a reference thereto; amending s. 570.20, F.S.; removing the time limitations on provisions authorizing moneys in the General Inspection Trust Fund to be used for programs operated by the Department of Agriculture and Consumer Services; amending s. 570.29, F.S.; removing the Division of Dairy Industry, to conform, and adding the Division of Licensing as a division within the department; repealing ss. 570.40 and 570.41, F.S., relating to the powers and duties of the Division of Dairy Industry; amending s. 570.50, F.S.; adding the inspection of dairy farms, milk plants, and milk product plants and other specified functions to the duties of the Division of Food Safety within the department; amending s. 601.15, F.S.; requiring review and approval by the Legislative Budget Commission of any proposal by the Citrus Commission to increase the box tax rate; repealing s. 681.102(7), F.S., relating to the definition of the term "division"; amending ss. 681.103, 681.108, 681.109, 681.1095, 681.1096, 681.110, 681.112, 681.114, 681.117, and 681.118, F.S.; providing for the Department of Legal Affairs, rather than the Division of Consumer Services of the Department of Agriculture and Consumer Services, to enforce the state Lemon Law; consolidating enforcement duties under the Motor Vehicle Warrant Enforcement Act within the Department of Legal Affairs; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2122** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2124—A bill to be entitled An act relating to the Department of Revenue; amending s. 195.096, F.S.; extending from once every 2 years to once every 3 years the requirement that the department conduct an in-depth review of the assessment roll of each county; providing for a study of certain classifications constituting 5 percent or more of the total assessed value of real property on the previous assessment roll; replacing assessed value with just value of all real property that the department may combine for purposes of assessment ration studies; amending s. 212.05, F.S.; imposing a tax on the charges for the use of

coin-operated amusement machines operated on the licensed premises of a pari-mutuel facility located in certain cities or counties; amending s. 213.69, F.S.; exempting the department from paying charges imposed by the clerks of the court for recording tax liens; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2124** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2126—A bill to be entitled An act relating to the Department of Management Services; amending s. 110.181, F.S.; providing for the reimbursement to the department of actual costs for coordinating the Florida State Employee's Charitable Campaign; amending ss. 216.0158 and 216.043, F.S.; requiring the cost factors for a fixed capital outlay project to include an estimate for the finishing of interiors; amending s. 216.182, F.S.; requiring the standards for use of a project to include an analysis of the cost of the constructed space; amending s. 216.301, F.S.; requiring that cost savings realized when actual costs are less than the projected costs for a fixed capital outlay project be used to reduce the overall construction costs; specifying that additional purchases may not be made if they are not included in the approved plan; amending s. 255.043, F.S.; defining the term "art"; prohibiting the purchase of art using public funds except as authorized by law; amending s. 255.29, F.S.; requiring the department to adopt standards for materials and components used in the construction of a fixed capital outlay project; providing criteria; requiring written justification and analysis if a material or component does not meet the standards; amending s. 255.30, F.S.; clarifying the meaning of supervisory authority in the context of the delegation of authority to a state agency by the department; amending s. 273.055, F.S.; deleting provisions requiring department approval for the disposal of state-owned aircraft; amending s. 282.0041, F.S.; revising a cross-reference; amending s. 282.702, F.S.; revising the powers and duties of the department relating to state telecommunications; requiring additional items relating to SUNCOM to be included in the department's annual report; requiring the department to submit an annual benchmark comparison of SUNCOM rates to other rates to the Governor and Legislature; requiring the department to work with the Agency for Enterprise Information Technology to produce a feasibility analysis for reprocurring the telecommunications network and to submit the analysis to the Governor and the Legislature by a certain date; requiring state agencies to cooperate with the department; requiring the Department of Transportation to provide certain information to assist the department in conducting the feasibility analysis and to develop procedures for disposing of property at less than fair market value; requiring the Department of Transportation to establish certain procedures in the state's right-of-way manual, providing criteria; amending s. 282.703, F.S.; prohibiting state agencies from creating a telecommunications network outside the SUNCOM network; requiring violations to be reported; requiring the department to develop a competitive solicitation to procure end-to-end network services by a certain date; requiring vendors to respond by a certain date; providing the specifications for the procurement; requiring all state agencies to complete the transition to the network services by a certain date; requiring state agencies to cooperate in the procurement; amending s. 287.16, F.S.; removing references to state-owned or leased aircraft; removing a requirement that the department report to the Legislature on the use of aircraft in the executive pool; repealing s. 287.161, F.S., relating to the executive aircraft pool; amending s. 287.17, F.S.; removing the provision that authorizes certain persons to use state-owned aircraft; removing the provision requiring payment by certain persons for the use of state-owned aircraft; amending ss. 318.18 and 318.21, F.S.; delaying the expiration of provisions imposing a surcharge on certain offenses and traffic violations, the proceeds of which are deposited into the State Agency Law Enforcement Radio System Trust Fund of the department; creating s. 760.12, F.S.; requiring that an aggrieved person pay a filing fee when requesting an administrative hearing under ch. 760, F.S., relating to discrimination in the treatment of persons; providing an exception for a person who is indigent; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2126** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2128—A bill to be entitled An act relating to the Public Employees Relations Commission; amending s. 447.205, F.S.; requiring that the commission be composed of a chair and two part-time members rather than two full-time members; providing for the chair of the commission to remain as a full-time appointment; prohibiting the part-time members from engaging in any business, vocation, or employment that conflicts with their duties while in such office; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2128** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2130—A bill to be entitled An act relating to pollution control; amending s. 403.1835, F.S.; revising requirements for the deposit of funds used in providing financial assistance for water pollution control; requiring that such funds be deposited into the department's Federal Grants Trust Fund rather than the department's Grants and Donations Trust Fund; specifying additional uses of moneys deposited into the Federal Grants Trust Fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2130** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2132—A bill to be entitled An act relating to the Department of Financial Services; repealing ss. 17.53 and 17.556, F.S., relating to the Chief Financial Officer's authorization to operate a personal check-cashing service or a remote financial service unit at the capitol and to employ additional persons to assist in performing such services; abolishing appropriations from the General Revenue Fund to pay the salaries of the additional employees; amending s. 20.121, F.S.; revising the duties of the Division of Consumer Services; amending ss. 284.01 and 284.36, F.S.; revising the criteria for premiums charged to agencies and departments for purposes of the State Risk Management Trust Fund; amending s. 284.42, F.S.; revising requirements for reports concerning the state insurance program; requiring the Division of Risk Management to analyze and report on certain agency return-to-work programs and activities; amending s. 284.50, F.S.; requiring certain agencies to establish and maintain return-to-work programs for certain employees; providing program goals; requiring the Division of Risk Management to evaluate agency risk management programs; requiring reports; requiring agencies to respond to the division's evaluation and recommendations; requiring the division to submit certain evaluation reports to the legislative appropriations committees; amending s. 440.13, F.S.; revising requirements for determining the amount of reimbursement for repackaged or relabeled prescription medication; providing limitations; amending s. 440.50, F.S.; providing for reversion of certain unencumbered and undisbursed funds to the Workers' Compensation Administration Trust Fund; providing an effective date.

—was read the second time by title.

Senator Smith moved the following amendment which failed:

Amendment 1 (765844) (with title amendment)—Delete lines 39 and 40.

And the title is amended as follows:

Delete lines 3-10 and insert: Services; amending s. 20.121, F.S.;

Pursuant to Rule 4.19, **SB 2132** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2134—A bill to be entitled An act relating to the Citizens Property Insurance Corporation; repealing s. 627.351(6)(e) and (f), F.S., relating to

the procurement of goods and services by the corporation; creating s. 627.3514, F.S.; providing standards for procurements by Citizens Property Insurance Corporation; providing legislative intent; providing definitions; providing general purchasing rules for the procurement of goods or services by the Citizens Property Insurance Corporation; requiring the corporation's legal department and purchasing department to jointly prepare a contract for the procurement of goods or services; requiring the legal department to review and approve a contract before it is executed; providing that certain procurements of goods or services are subject to competitive solicitation; providing that a public bid opening is not required except under certain circumstances; requiring a competitive solicitation to include a contract term; requiring the corporation's purchasing department to coordinate and manage the competitive solicitation process; providing for the use of four methods for the competitive solicitation process; requiring the business unit to provide certain information in order for the purchasing department to initiate the competitive solicitation process; requiring the corporation to create a process for the evaluation of vendor proposals appropriate for the goods or services being procured and to coordinate the receipt and evaluation of responses to the competitive solicitation; requiring the corporation to give public notice of a competitive solicitation by electronically posting the competitive solicitation on its website and the state's procurement website; prohibiting certain persons from communicating with any member of the board or employee of Citizens Property Insurance Corporation, or with any public official, officer, or employee of the executive or legislative branch of government, concerning any aspect of the solicitation; providing a procedure for breaking a tie between two vendors in the competitive solicitation process; requiring the redaction of certain confidential and exempt information in a vendor's bid; requiring the corporation to post a copy of each contract executed on its website for certain contracts executed on or after a specified date; authorizing a respondent to a competitive solicitation to appeal the award of certain contracts of more than a specified amount by the corporation's board; requiring the corporation's board to hear an appeal at a publicly noticed meeting conducted according to appeal procedures established by the board; authorizing a respondent to a competitive solicitation to appeal the award of a contract having a value at or above a specified amount and less than a specified amount according to appeal procedures established by the board; providing that such appeals are not required to be heard by the board; authorizing certain exemptions from the competitive solicitation process; requiring the corporation's purchasing policy to address procurement issues regarding conflicts of interest and to include procedures for protecting against any conflict of interest by Citizens' board members and employees and other expert consultants who are acting as an evaluator in the purchasing process; requiring the corporation to strive to increase business with minority business enterprises; requiring the director of purchasing to certify a business as a minority business enterprise upon review and evaluation of evidence provided by the business; requiring the corporation to strive to increase business with Florida small business enterprises by providing education and outreach to Florida small business enterprises regarding business opportunities with the corporation; authorizing the corporation to use the status of a business as a Florida small business enterprise as a vendor-evaluation criterion in the procurement of goods or services; requiring the director of the corporation's purchasing department to certify a business as a Florida small business enterprise upon review and evaluation of evidence provided by the entity; authorizing the corporation to use the status of a business as a Florida business enterprise as a vendor-evaluation criterion in the procurement of goods or services; requiring the corporation to verify the status of a Florida business enterprise; requiring the corporation's board to annually review and adopt the purchasing policy for the corporation; requiring the corporation's board to submit a copy of the purchasing policy to the Office of Insurance Regulation; requiring the Auditor General to have access to the corporation's procurement documents and related materials; requiring the documents and materials held by the Auditor General to remain confidential; amending s. 838.014, F.S.; including a board member or an employee of the corporation within the definition of the term "public servant" as it relates to the crime of bribery and the misuse of public office; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2134** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2136—A bill to be entitled An act relating to trust funds; creating s. 455.1165, F.S.; creating the Federal Grants Trust Fund within the Department of Business and Professional Regulation; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2136** was placed on the calendar of Bills on Third Reading.

SB 2142—A bill to be entitled An act relating to the water management districts; creating s. 373.502, F.S.; providing requirements with respect to revenues received by each water management district and the unexpended balances of a district's local account; requiring that each district's expenditure of funds be as provided in the General Appropriations Act; providing for a contingency if a court finds such restriction to be invalid; amending s. 373.503, F.S.; providing that the Legislature may annually set the amount of revenue a district may raise through its ad valorem tax authority; prohibiting a district from imposing ad valorem taxes if the Legislature does not set the amount of revenue; amending s. 373.536, F.S.; changing the districts' fiscal year; revising provisions relating to the development of district budgets and review by the Executive Office of the Governor and Legislature; requiring that each district make budget information available to the public through the district's website; amending s. 403.891, F.S., relating to the Water Protection and Sustainability Program Trust Fund; conforming provisions to changes made by the act; amending ss. 373.026, 373.036, 373.707, and 373.709, F.S.; conforming cross-references; specifying the district millage rate during those months that the districts are in transition to a new fiscal year and capping the amount of revenues that may be collected; providing that each district may expend funds until its final budget is approved; appropriating all prior year incurred obligations; providing for future expiration; providing an effective date.

—was read the second time by title.

On motion by Senator Hays, further consideration of **SB 2142** was deferred.

On motion by Senator Gaetz—

SB 2152—A bill to be entitled An act relating to transportation; amending s. 310.002, F.S.; redefining the term "port" to include Port Citrus; amending s. 311.07, F.S.; providing additional funds for 5 years to fund certain projects through the Florida Deepwater Seaport Program; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 338.165, F.S.; specifying that certain statutory provisions related to special matters to be considered in rule adoption do not apply to the adjustment of toll rates; transferring control of the Tampa-Hillsborough County Expressway Authority, the Orlando-Orange County Expressway Authority, and the Mid-Bay Bridge Authority systems to the Florida Turnpike Enterprise; transferring all assets, rights, powers, duties, and bond liabilities of the authorities to the turnpike enterprise; transferring all provisions that protect the rights of certain bondholders from the authorities to the turnpike enterprise; providing for the turnpike enterprise to annually transfer funds from the activities of each of the transferred authorities to the State Transportation Trust Fund to repay certain long-term debt; amending s. 338.2215, F.S.; adding certain expressway and bridge systems to the Florida Turnpike Enterprise; amending s. 338.231, F.S.; requiring that the toll rates collected electronically equal the rates for cash collection; amending s. 338.2275, F.S.; increasing the maximum amount of bonds that may be outstanding for approved turnpike projects; repealing s. 338.251, F.S., relating to the Toll Facilities Revolving Trust Fund; transferring all funds in the trust fund and future payments of obligated funds to the Turnpike General Reserve Trust Fund; creating s. 339.2821, F.S.; providing requirements for contracts for transportation projects; providing duties of the Department of Transportation; providing for the transfer of funds; requiring that funds be allocated to each district equitably; authorizing Space Florida to serve as a local government or a contracting agency within spaceport territory; repealing s. 343.805(6),

F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Northwest Florida Transportation Corridor Authority and the Department of Transportation; amending s. 343.835, F.S.; deleting references to lease-purchase agreements; amending s. 343.836, F.S.; deleting references to lease-purchase agreements in remedies to bondholders as they relate to the U.S. 98 Corridor System; repealing s. 343.837, F.S., relating to lease-purchase agreements that provide for the leasing of the U.S. 98 Corridor System to the Department of Transportation; repealing s. 343.885, F.S., relating to the enforceability of pledges by bondholders; repealing s. 343.91(1)(h), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Tampa Bay Area Regional Transportation Authority and the Department of Transportation; amending s. 343.94, F.S.; deleting references to lease-purchase agreements; amending s. 343.944, F.S.; deleting references to lease-purchase agreements in remedies to bondholders as they relate to the Tampa Bay Area Regional Transportation Authority; repealing s. 343.945, F.S., relating to the enforceability of pledges to the Tampa Bay Area Regional Transportation Authority; repealing s. 343.946, F.S., relating to lease-purchase agreements that provide for the leasing of projects of the Tampa Bay Area Regional Transportation Authority to the Department of Transportation; repealing s. 348.0002(11), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to expressway authorities and the Department of Transportation; amending s. 348.0004, F.S.; authorizing authorities created pursuant to the Florida Expressway Authority Act to own expressway systems; deleting the power of such authorities to lease such systems; deleting obsolete provisions; amending s. 348.0005, F.S.; deleting a reference to the Department of Transportation to conform to changes made by the act; repealing s. 348.0006, F.S., which provides for lease-purchase agreements in the Florida Expressway Act; repealing part II of ch. 348, F.S., which provides for the creation and operation of the Brevard County Expressway Authority; repealing part III of ch. 348, F.S., which provides for the creation and operation of the Broward County Expressway Authority; repealing part IV of ch. 348, F.S., which provides for the creation and operation of the Tampa-Hillsborough County Expressway Authority; repealing part V of ch. 348, F.S., which provides for the creation and operation of the Orlando-Orange County Expressway Authority; repealing part VI of ch. 348, F.S., which provides for the creation and operation of the Pasco County Expressway Authority; repealing part VII of ch. 348, F.S., which provides for the creation and operation of the St. Lucie County Expressway and Bridge Authority; repealing part VIII of ch. 348, F.S., which provides for the creation and operation of the Seminole County Expressway Authority; repealing part X of ch. 348, F.S., which provides for the creation and operation of the Southwest Florida Expressway Authority; repealing s. 348.9955, F.S., relating to the power of the Osceola Expressway Authority to enter into lease-purchase agreements with the Department of Transportation; repealing s. 349.02(1)(d), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Jacksonville Transportation Authority and the Department of Transportation; amending s. 349.04, F.S.; deleting the authority of the Jacksonville Transportation Authority to enter lease-purchase agreements; amending s. 349.05, F.S.; deleting authorization for lease-purchase agreements in bond agreements of the Jacksonville Transportation Authority; repealing s. 349.07, F.S., relating to lease-purchase agreements that provide for the leasing of the Jacksonville Expressway System to the Department of Transportation; amending s. 349.15, F.S.; deleting certain bond authority of the department; amending s. 374.976, F.S.; including Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; including Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; including Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; repealing chapter 2000-411, Laws of Florida, relating to the Mid-Bay Bridge Authority; amending s. 212.08, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2152** was placed on the calendar of Bills on Third Reading.

RECESS

On motion by Senator Thrasher, the Senate recessed at 1:09 p.m. to reconvene at 2:00 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 2:00 p.m. A quorum present—37:

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

SPECIAL ORDER CALENDAR

On motion by Senator Gaetz—

SB 2154—A bill to be entitled An act relating to the Florida Housing Finance Corporation; amending s. 201.15, F.S.; deleting provisions on the distributions of documentary stamp tax revenues to the State Housing Trust Fund and the Local Government Housing Trust Fund; conforming cross-references; amending ss. 420.0003 and 420.0004, F.S.; replacing references to the Department of Community Affairs with Jobs Florida; amending s. 420.0005, F.S.; providing for the deposit of certain moneys into the State Housing Trust Fund within the State Treasury; replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; subjecting expenditures from the State Housing Fund for administrative and personnel costs to appropriation by the Legislature; providing for the interest received on investments of moneys of the State Housing Fund in excess of the amounts appropriated for the current fiscal year to be credited to the General Revenue Fund; amending ss. 420.101, 420.111, 420.36, 420.424, 420.503, 420.504, and 420.506, F.S.; replacing references to the Department of Community Affairs with Jobs Florida and replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; amending s. 420.507, F.S.; providing for certain moneys to be deposited into the State Housing Trust Fund; subjecting expenditures of funds to appropriation by the Legislature; deleting provisions exempting the corporation from certain state budgetary requirements; deleting the provision that authorizes the corporation to retain unused operational expenditures; amending s. 420.508, F.S.; providing for the deposit of certain moneys into the State Housing Trust Fund; providing that expenditures from the Florida Housing Finance Corporation Fund are subject to appropriation by the Legislature; amending s. 420.5087, F.S.; conforming a cross-reference; requiring that loan repayments and certain proceeds be accounted for by the corporation and be deposited into the State Housing Trust Fund; deleting a provision that prohibits loan repayments and certain proceeds from reverting to the General Revenue Fund; requiring that expenditures from the State Apartment Incentive Loan Fund be subject to appropriation by the Legislature; authorizing the corporation to seek a budget amendment to use certain funds for construction in fiscal years subsequent to the fiscal years for which the funds were appropriated; requiring the corporation to account for certain funds and to deposit them into the State Housing Trust Fund; requiring the corporation to seek a budget amendment to transfer funds for its loan loss insurance reserve; amending s. 420.5088, F.S.; revising provisions relating to the Florida Homeownership Assistance Program; requiring the corporation to account for certain monies deposited into the State Housing Trust Fund; subjecting expenditures from the Florida Homeownership Assistance Fund to appropriation by the Legislature; amending s. 420.5089, F.S.; revising provisions relating to the HOME Investment Partnership Program; requiring the corporation to account for certain monies deposited into the State Housing Trust Fund; authorizing the corporation

to seek a budget amendment to use certain funds for construction in fiscal years subsequent to the fiscal years for which the funds were appropriated; providing for certain funds to be deposited into the State Housing Trust Fund; amending s. 420.5091, F.S.; revising provisions relating to the HOPE Program; providing for the deposit of certain funds into the State Housing Trust Fund; amending s. 420.5092, F.S.; revising provisions relating to the Florida Affordable Housing Guarantee Program; authorizing certain funds to be used to support the Florida Affordable Housing Guarantee Program; conforming cross-references; amending s. 420.5095, F.S.; replacing a reference to the Department of Community Affairs with Jobs Florida; amending s. 420.525, F.S.; requiring that expenditures from the Housing Predevelopment Fund be subject to appropriation by the Legislature; authorizing the corporation to seek a budget amendment to use certain funds for predevelopment activities in fiscal years subsequent to the fiscal years for which the funds were appropriated; providing for certain monies to be accounted by the corporation and deposited into the State Housing Trust Fund; deleting a provision that prohibits certain funds, loan repayments, proceeds from reverting to the General Revenue Fund; amending ss. 420.526 and 420.529, F.S.; providing for certain monies to be accounted by the corporation and repaid to, or deposited into, the State Housing Trust Fund; amending s. 420.602, F.S.; redefining definitions; amending ss. 420.606, 420.609, 420.622, and 420.631, F.S.; replacing references to the Department of Community Affairs with Jobs Florida and replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; amending s. 420.9073, F.S.; revising local housing distribution provisions under the State Housing Initiatives Partnership Program; amending s. 420.9079, F.S.; providing for the deposit of certain monies into the Local Government Housing Trust Fund; providing for the interest on certain investments of the Local Government Housing Trust Fund to be credited to the General Revenue Fund; amending s. 201.0205, F.S.; changing the source of funding for certain local housing programs; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Smith moved the following amendment which failed:

Amendment 1 (260494) (with title amendment)—Delete lines 112-208.

And the title is amended as follows:

Delete lines 3-7 and insert: Corporation; amending ss. 420.0003 and 420.0004, F.S.;

Pursuant to Rule 4.19, **SB 2154** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz—

SB 2156—A bill to be entitled An act relating to governmental reorganization; transferring the functions and trust funds of the Agency for Workforce Innovation to other agencies; transferring the Office of Early Learning Services to the Department of Education; transferring the Office of Unemployment Compensation to Jobs Florida; transferring the Office of Workforce Services to Jobs Florida; transferring the functions and trust funds of the Department of Community Affairs to other agencies; transferring the Florida Housing Finance Corporation to Jobs Florida; transferring the Division of Housing and Community Development to Jobs Florida; transferring the Division of Community Planning to Jobs Florida; transferring the Division of Emergency Management to the Executive Office of the Governor and renaming it as the “Office of Emergency Management”; transferring the Florida Building Commission to the Department of Business and Professional Regulation; transferring the responsibilities under the Florida Communities Trust to the Department of Environmental Protection; transferring the responsibilities under the Stan Mayfield Working Waterfronts program to the Department of Environmental Protection; transferring functions and trust funds of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor to Jobs Florida; providing legislative intent with respect to the transfer of programs and adminis-

trative responsibilities; providing for a transition period; providing for coordination between the Agency for Workforce Innovation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development and other state agencies to implement the transition; requiring that the Governor appoint a representative to coordinate the transition plan; requiring that the Governor submit information and obtain waivers as required by federal law; authorizing the Governor to transfer funds and positions between agencies upon approval from the Legislative Budget Commission to implement the act; directing the nonprofit entities to enter into a plan for merger; transferring the functions of Space Florida to the Jobs Florida Partnership, Inc.; providing legislative intent with respect to the merger of Enterprise Florida, Inc., the Florida Sports Foundation Incorporated, the Florida Tourism Industry Marketing Corporation d/b/a VISIT Florida, and the Florida Black Business Investment Board, Inc., into and the transfer of Space Florida to the Jobs Florida Partnership, Inc.; providing for a transition period; requiring that the Governor appoint a representative to coordinate the transition plan; providing for the transfer of any funds held in trust by the entities to be transferred to the Jobs Florida Partnership, Inc., to be used for their original purposes; requiring that the Governor submit information and obtain waivers as required by federal law; providing a directive to the Division of Statutory Revision to prepare conforming legislation; creating s. 14.2016, F.S.; establishing the Office of Emergency Management as a separate budget entity within the Executive Office of the Governor; providing for the director of the office to serve at the pleasure of the Governor; amending s. 20.15, F.S.; establishing the Division of Early Learning within the Department of Education; providing for the office to administer the school readiness system and the Voluntary Prekindergarten Education Program; creating s. 20.60, F.S.; creating Jobs Florida as a new department of state government; providing for the commissioner of Jobs Florida to be appointed by the Governor and confirmed by the Senate; establishing divisions of Jobs Florida and specifying their responsibilities; providing for Jobs Florida to serve as the designated agency for the purposes of federal workforce development grants; authorizing Jobs Florida to contract for training for employees of administrative entities and case managers of contracted providers; specifying that the Unemployment Appeals Commission is not subject to control, supervision, or direction from Jobs Florida; specifying the responsibilities of the commissioner of Jobs Florida; limiting the amount of the commissioner’s public remuneration; specifying powers and responsibilities of the Chief Inspector General in the Executive Office of the Governor with respect to Jobs Florida; providing for Jobs Florida to have an official seal; providing for Jobs Florida to administer the role of state government with respect to laws relating to housing; authorizing Jobs Florida to adopt rules; amending s. 112.044, F.S.; requiring an employer, employment agency, and labor organization to post notices required by the United States Department of Labor and the United States Equal Employment Opportunity Commission; amending s. 163.3164, F.S.; redefining the terms “state land planning agency” and “optional sector plans”; amending ss. 163.3177 and 163.3180, F.S.; deleting the word “optional” from the phrase “optional sector plans” to conform to changes made by the act; amending s. 163.3184, F.S.; creating exceptions to requirements for comprehensive plan amendments to be reviewed by the state land planning agency; requiring the state land planning agency to submit a copy of a comprehensive plan or plan amendment that relates to or includes a public schools facilities element to the Department of Education; amending s. 163.3191, F.S.; creating exceptions to requirements for a local government to prepare an evaluation and appraisal report to assess progress in implementing the local government’s comprehensive plan; deleting requirements for a local government to include in an evaluation and appraisal report certain statements to update a comprehensive plan; deleting a requirement for a local government to provide a proposed evaluation and appraisal report to certain entities and interested citizens; deleting provisions relating to a requirement for a local government to adopt an evaluation and appraisal report; providing for the report to be submitted as data and analysis in support of the amendments based on evaluation and appraisal report; deleting provisions relating to the delegation of the review of evaluation and appraisal reports; authorizing the state land planning agency to establish a phased schedule for adoption of amendments based on an evaluation and appraisal report; deleting a requirement for the state land planning agency to review the evaluation and appraisal report process and submit a report to the Governor and the Legislature regarding its findings; amending s. 163.3245, F.S.; renaming optional sector plans as sector plans; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting ob-

sole provisions; renaming long-term conceptual buildout overlays as long-term master plans; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date; authorizing certain development agreements between the developer and the local government; providing for continuation of certain existing land uses; amending s. 163.3246, F.S.; deleting the word "optional" from the phrase "optional sector plans" to conform to changes made by the act; amending s. 163.32465, F.S.; making the alternative state review of comprehensive plan amendments applicable statewide; amending s. 215.559, F.S.; providing for the Hurricane Loss Mitigation Program to be housed within the Office of Emergency Management; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing hurricane shelters; creating s. 288.005, F.S.; defining the terms "economic benefits" and "commissioner"; creating s. 288.048, F.S.; creating the incumbent worker training program within Jobs Florida; providing for the program to provide preapproved, direct, training-related costs; providing for the administration of the program by Jobs Florida in conjunction with Workforce Florida, Inc.; amending s. 288.061, F.S.; providing for Jobs Florida and the Jobs Florida Partnership, Inc., to review applications for state economic development incentives; authorizing Jobs Florida to enter into an agreement with an applicant relating to all incentives offered by the state; amending s. 288.095, F.S.; providing for the Economic Development Incentives account to be used for certain economic development incentives programs; providing for Jobs Florida to approve applications for certification or requests for participation in certain economic development programs; amending s. 288.1081, F.S.; providing for the Economic Gardening Business Loan Pilot Program to be administered by Jobs Florida; deleting provisions providing for certain funds to be deposited into the General Revenue Fund; deleting provisions that provide for the future repeal of the program; amending s. 288.1082, F.S.; providing for the Economic Gardening Technical Assistance Pilot Program to be administered by Jobs Florida; requesting the Division of Statutory Revision to rename part VII of ch. 288, F.S., as "Jobs Florida Partnership, Inc."; amending s. 288.901, F.S.; creating the Jobs Florida Partnership, Inc., as a nonprofit corporation; specifying that the partnership is subject to the provisions of chs. 119 and 286, F.S.; specifying that the partnership's board of directors is subject to certain requirements in ch. 112, F.S.; specifying the purposes of the partnership; creating the board of directors for the partnership; naming the Governor as chair of the board of directors; specifying appointment procedures, terms of office, selecting a vice chairperson, filling vacancies, and removing board members; providing for the appointment of at-large members to the board of directors; specifying terms; allowing the at-large members to make contributions to the partnership; specifying that the commissioner of Jobs Florida and the chairs of the advisory councils for each division shall serve as ex officio, nonvoting members of the board of directors; specifying that members of the board of directors shall serve without compensation, but are entitled to reimbursement for all reasonable, necessary, and actual expenses as determined by the board of directors; amending s. 288.9015, F.S.; specifying the powers of the partnership and the board of directors; authorizing liberal construction of the partnership's statutory powers; prohibiting the partnership from pledging the full faith and credit of the state; allowing the partnership to indemnify, purchase, and maintain insurance on its board members, officers, and employees; amending s. 288.903, F.S.; specifying the duties of the partnership; amending s. 288.904, F.S.; providing for legislative appropriations; requiring a private match equal to at least 35 percent of the appropriation of public funds; specifying potential sources of private funding; directing the board of directors to develop annual budgets; providing for the partnership to enter into an agreement with Jobs Florida; requiring performance measures; requiring review of the partnership's activities as a return on the public's financial investment; directing the partnership to consult with the Office of Economic and Demographic Research when hiring an economic analysis firm to prepare the return on investment analysis and when hiring a survey research firm to develop, analyze and report on the results of its customer satisfaction survey; amending s. 288.905, F.S.; directing the partnership's board of directors to hire a president, who shall serve at the pleasure of the Governor; defining the president's role and responsibilities; specifying that no employee of the partnership shall earn more than the

Governor, but provides for the granting of performance-based incentive payments to employees that may increase their total compensation in excess of the Governor's; amending s. 288.906, F.S.; requiring the partnership to prepare an annual report by December 1 of each year; specifying the content of the annual report; creating s. 288.907, F.S.; requiring the partnership to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring the partnership to promote and market this state to businesses in target industries and high-impact industries; creating s. 288.912, F.S.; requiring that certain counties and municipalities annually provide to the partnership an overview of certain local economic development activities; creating s. 288.92, F.S.; specifying divisions within the partnership; providing for hiring of staff; requiring each division to have a 15-member advisory council; specifying selection and appointments to the advisory council; creating s. 288.921, F.S.; creating the Division of International Trade and Business Development; specifying its responsibilities; providing for administration of a grant program; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.922, F.S.; creating the Division of Business Retention and Recruitment; specifying its responsibilities; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.923, F.S.; creating the Division of Tourism Marketing; providing definitions; specifying the division's responsibilities and duties, including a 4-year marketing plan; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.925, F.S.; creating the Division of Minority Business Development; specifying the division's responsibilities and duties; requiring an annual report; specifying minimum responsibilities of the advisory council; transferring, renumbering, and amending s. 288.1229, F.S.; creating the Division of Sports Industry Development; specifying the division's responsibilities; requiring an annual report; specifying minimum responsibilities of the advisory board; advisory board; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to Jobs Florida to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing Jobs Florida to approve the amendment application subject to certain requirements; requiring that Jobs Florida establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to Jobs Florida for designation of an enterprise zone; providing application requirements; authorizing Jobs Florida to designate an enterprise zone in Martin County; providing responsibilities of Jobs Florida; amending s. 409.942, F.S.; deleting amending s. 409.942, F.S.; deleting requirements that Workforce Florida, Inc., establish an electronic transfer benefit program; amending s. 411.0102, F.S.; requiring each participating early learning coalition board to develop a plan for the use of child care purchasing pool funds; amending s. 1002.73, F.S.; requiring the Department of Education to administer the operational requirements of the Voluntary Prekindergarten Education Program; requiring the Department of Education to adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts; requiring the Department of Education to adopt procedures for the distribution of funds to early learning coalitions; amending ss. 11.45, 14.20195, 15.18, 15.182, 16.615, 39.001, 45.031, 69.041, 112.3135, 119.071, 120.80, 125.01045, 159.803, 159.8081, 159.8083, 161.54, 163.03, 163.3178, 163.3221, 163.360, 166.0446, 175.021, 186.504, 186.505, 202.037, 212.08, 212.096, 212.097, 212.098, 212.20, 213.053, 215.5586, 216.136, 216.292, 216.231, 218.64, 220.03, 220.183, 220.191, 222.15, 250.06, 252.32, 252.34, 252.35, 252.355, 252.3568, 252.36, 252.365, 252.37, 252.371, 252.373, 252.38, 252.385, 252.40, 252.41, 252.42, 252.43, 252.44, 252.46, 252.55, 252.60, 252.61, 252.82, 252.83, 252.85, 252.86, 252.87, 252.88, 252.936, 252.937, 252.943, 252.946, 255.099, 259.035, 260.0142, 272.11, 282.34, 282.709, 287.09431, 287.09451, 287.0947, 288.012, 288.017, 288.018, 288.019, 288.021, 288.035, 288.047, 288.065, 288.0655, 288.0656, 288.06561, 288.0657, 288.0658, 288.0659, 288.075, 288.1045, 288.106, 288.107, 288.108, 288.1083, 288.1088, 288.1089, 288.1095, 288.1162, 288.11621, 288.1168, 288.1169, 288.1171, 288.122, 288.12265, 288.124, 288.1251, 288.1252, 288.1253, 288.1254, 288.386, 288.7011, 288.7015, 288.705, 288.706, 288.7094, 288.7102, 288.714, 288.773, 288.774, 288.776, 288.7771, 288.816, 288.809, 288.826, 288.95155, 288.955, 288.9519, 288.9520, 288.9603, 288.9604, 288.9605, 288.9606, 288.9614, 288.9624, 288.9625, 288.975, 288.980, 288.984, 288.9913, 288.9914, 288.9916, 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, 290.004, 290.0055, 290.0056, 290.0065, 290.0066, 290.00710, 290.0072, 290.00725, 290.0073, 290.0074, 290.0077, 290.014, 311.09, 311.11, 311.115, 311.22, 320.08058, 331.302, 331.3081, 331.369, 339.08, 339.135, 364.0135, 377.703, 377.711, 377.712, 377.804, 380.031, 380.06,

380.115, 380.285, 381.0054, 381.0086, 381.7354, 381.855, 383.14, 402.281, 402.45, 402.56, 403.42, 403.7032, 403.973, 409.017, 409.1451, 409.2576, 409.944, 409.946, 411.01, 411.0101, 411.01013, 411.01014, 411.01015, 411.0103, 411.0104, 411.0106, 411.011, 411.226, 411.227, 414.24, 414.40, 414.295, 414.411, 420.631, 420.635, 429.907, 440.12, 440.15, 440.381, 440.385, 440.49, 443.012, 443.036, 443.041, 443.051, 443.071, 443.091, 443.101, 443.111, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct support organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to Return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and international trade grants; 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 exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; repealing s. 446.60, F.S., which relates to assistance for displaced local exchange telecommunications company workers; repealing s. 1002.75, F.S., relating to the powers and duties of the Agency for Workforce Innovation; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Flores moved the following amendment which was adopted:

Amendment 1 (876626) (with title amendment)—Delete lines 16214-16230 and insert:

Section 277. Subsection (1) of section 443.111, Florida Statutes, is amended to read:

443.111 Payment of benefits.—

(1) MANNER OF PAYMENT.—Benefits are payable from the fund in accordance with rules adopted by *Jobs Florida the Agency for Workforce Innovation*, subject to the following requirements:

(a) Benefits are payable by mail or electronically, *except that an individual being paid by paper warrant on July 1, 2011, may continue to be paid in that manner until the expiration of the claim. Jobs Florida Notwithstanding s. 409.942(4), the agency* may develop a system for the payment of benefits by electronic funds transfer, including, but not limited to, debit cards, electronic payment cards, or any other means of electronic payment that *Jobs Florida the agency* deems to be commercially viable or cost-effective. Commodities or services related to the development of such a system shall be procured by competitive solicitation, unless they are purchased from a state term contract pursuant to s. 287.056. *Jobs Florida The agency* shall adopt rules necessary to administer *this paragraph the system*.

And the title is amended as follows:

Delete lines 353-418 and insert: 443.051, 443.071, 443.091, 443.101, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct support organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and international trade grants; 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 exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; amending s. 443.111, F.S.; providing that unemployment benefits are payable electronically, except that an individual being paid by paper warrant on a specified date may continue to be paid in that manner until the expiration of a claim for unemployment compensation; conforming provisions to changes made by the act; repealing s. 446.60, F.S., which relates to

MOTION

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

Senators Joyner and Wise offered the following amendments which were moved by Senator Joyner and adopted:

Amendment 2 (735614) (with title amendment)—Between lines 582 and 583 insert:

Section 4. *Type two transfers from the Department of Education.*—

(1) *All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Division of Vocational Rehabilitation and the Division of Blind Services of the Department of Education are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to Jobs Florida.*

(2) *The Grants and Donations Trust Fund of the Division of Blind Services is transferred from the Department of Education to Jobs Florida.*

(3) *Any binding contract or interagency agreement existing before July 1, 2011, between the Division of Vocational Rehabilitation or the Division of Blind Services, or an entity or agent of the divisions, and any other agency, entity, or person shall continue as a binding contract or agreement for the remainder of the term of such contract or agreement on the successor department, agency, or entity responsible for the program, activity, or functions relative to the contract or agreement.*

(4) *All powers, duties, functions, records, offices, personnel, property, pending issues, and existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds relating to the Division of Vocational Rehabilitation and the Division of Blind Services which are not specifically transferred by this section are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to Jobs Florida.*

And the title is amended as follows:

Delete line 27 and insert: Office of the Governor to Jobs Florida; transferring the functions relating to the Division of Vocational Rehabilitation from the Department of Education to Jobs Florida; transferring the functions and trust fund relating to the Division of Blind Services of the Department of Education to Jobs Florida; providing

The vote was:

Yeas—24

Mr. President	Garcia	Ring
Altman	Hays	Sachs
Braynon	Hill	Simmons
Dean	Jones	Siplin
Evers	Joyner	Smith
Fasano	Montford	Storms
Flores	Norman	Thrasher
Gaetz	Oelrich	Wise

Nays—13

Alexander	Dockery	Rich
Benacquisto	Gardiner	Richter
Bennett	Latvala	Sobel
Detert	Lynn	
Diaz de la Portilla	Margolis	

Amendment 3 (838354) (with title amendment)—Delete lines 778-811 and insert:

Section 8. Subsection (3) of section 20.15, Florida Statutes, is amended, and subsection (9) is added to that section, to read:

20.15 Department of Education.—There is created a Department of Education.

(3) DIVISIONS.—The following divisions of the Department of Education are established:

(a) Division of Florida Colleges.

(b) Division of Public Schools.

(c) Division of Career and Adult Education.

~~(d) Division of Vocational Rehabilitation.~~

~~(e) Division of Blind Services.~~

~~(d)(f)~~ Division of Accountability, Research, and Measurement.

~~(e)(g)~~ Division of Finance and Operations.

(f) *The Division of Early Learning, which shall administer the school readiness system in accordance with s. 411.01 and the operational requirements of the Voluntary Prekindergarten Education Program in accordance with part V of chapter 1002. The division shall be directed by the Deputy Commissioner for Early Learning, who shall be appointed by and serve at the pleasure of the commissioner.*

(9) TRAINING.—*The department may provide or contract for training for employees of administrative entities and case managers of any contracted providers to ensure they have the necessary competencies and skills to provide adequate administrative oversight and delivery of the full array of client services.*

Section 9. Section 20.60, Florida Statutes, is created to read:

20.60 *Jobs Florida; creation; powers and duties.*—

(1) *There is created a department that, notwithstanding the provisions of s. 20.04(1), shall be called Jobs Florida.*

(2) *The head of Jobs Florida is the commissioner of Jobs Florida, who shall be appointed by the Governor, subject to confirmation by the Senate. The commissioner shall serve at the pleasure of and report to the Governor.*

(3) *The following divisions of Jobs Florida are established:*

(a) *The Division of Strategic Business Development.*

(b) *The Division of Community Development.*

(c) *The Division of Workforce Services.*

(d) *The Division of Finance and Administration.*

(e) *Division of Vocational Rehabilitation.*

(f) *Division of Blind Services.*

And the title is amended as follows:

Between lines 64 and 65 insert: removing the Division of Vocational Rehabilitation and the Division of Blind Services from the Department of Education;

Amendment 4 (724440)—Delete lines 20558-20572 and insert:

Section 366. Subsections (2) and (3) of section 1003.575, Florida Statutes, are amended to read:

1003.575 Assistive technology devices; findings; interagency agreements.—Accessibility, utilization, and coordination of appropriate assistive technology devices and services are essential as a young person with disabilities moves from early intervention to preschool, from preschool to school, from one school to another, and from school to employment or independent living. To ensure that an assistive technology device issued to a young person as part of his or her individualized family support plan, individual support plan, or an individual education plan remains with the individual through such transitions, the following agencies shall enter into interagency agreements, as appropriate, to ensure the transaction of assistive technology devices:

(2) The Division of Blind Services of *Jobs Florida*, the Bureau of Exceptional Education and Student Services, and the Division of Vocational Rehabilitation of *Jobs Florida* ~~the Department of Education~~.

Amendment 5 (717748) (with title amendment)—Between lines 20824 and 20825 insert:

Section 377. Subsection (5) of section 90.6063, Florida Statutes, is amended to read:

90.6063 Interpreter services for deaf persons.—

(5) The appointing authority may channel requests for qualified interpreters through:

- (a) The Florida Registry of Interpreters for the Deaf;
- (b) The Division of Vocational Rehabilitation of *Jobs Florida* ~~the Department of Education~~; or

(c) Any other resource wherein the appointing authority knows that qualified interpreters can be found.

Section 378. Paragraph (b) of subsection (6) of section 121.051, Florida Statutes, is amended to read:

121.051 Participation in the system.—

(6) SEASONAL STATE EMPLOYMENT; BLIND VENDING FACILITY OPERATORS.—

(b)1. All blind or partially sighted persons employed or licensed by the Division of Blind Services as vending facility operators on or after December 1, 1970, and prior to July 1, 1996, are hereby declared to be state employees within the meaning of this chapter, and all vending facility operators licensed and employed during that period shall be compulsory members of the Florida Retirement System in compliance with this chapter for as long as the member is a vending facility operator, except as provided in subparagraph 3.

2. Blindness shall not be deemed a retirement disability within the provisions of this chapter for such members as are contemplated by this paragraph.

3. Any vending facility operator as described in subparagraph 1. may elect, on or before July 31, 1996, to withdraw from the Florida Retirement System as provided in *s. 413.051(10)* ~~s. 413.051(11)~~. The election to withdraw shall take effect as of July 1, 1996, and the decision to withdraw is irrevocable. A vending facility operator who withdraws from the Florida Retirement System as provided in this subparagraph shall retain all creditable service earned in the Florida Retirement System through the month that retirement contributions ceased to be reported, and no creditable service shall be earned as a vending facility operator after such month. However, any such person may participate in the Florida Retirement System in the future if employed by a participating employer in a covered position.

4. All blind or partially sighted persons employed or licensed by the Division of Blind Services as vending facility operators on or after July 1, 1996, shall be independent contractors within the meaning of this chapter and shall not be eligible for membership in the Florida Retirement System.

Section 379. Section 215.311, Florida Statutes, is amended to read:

215.311 State funds; exceptions.—The provisions of s. 215.31 ~~do shall~~ not apply to funds collected by and under the direction and supervision of the Division of Blind Services of *Jobs Florida* ~~the Department of Education~~ as provided under ss. 413.011, 413.041, and 413.051; however, nothing in this section shall be construed to except from the provisions of s. 215.31 any appropriations made by the state to the division.

Section 380. Subsection (5) of section 394.75, Florida Statutes, is amended to read:

394.75 State and district substance abuse and mental health plans.—

(5) The district plan shall address how substance abuse and mental health services will be provided and how a system of care for target populations will be provided given the resources available in the service district. The plan must include provisions for maximizing client access to the most recently developed psychiatric medications approved by the United States Food and Drug Administration, for developing independent housing units through participation in the Section 811 program operated by the United States Department of Housing and Urban Development, for developing supported employment services through the Division of Vocational Rehabilitation of *Jobs Florida* ~~the Department of Education~~, for providing treatment services to persons with co-occurring mental illness and substance abuse problems which are integrated across treatment systems, and for providing services to adults who have a serious mental illness, as defined in s. 394.67, and who reside in assisted living facilities.

Section 381. Subsection (2) of section 410.604, Florida Statutes, is amended to read:

410.604 Community care for disabled adults program; powers and duties of the department.—

(2) Any person who meets the definition of a disabled adult pursuant to s. 410.603(2) is eligible to receive the services of the community care for disabled adults program. However, the community care for disabled adults program shall operate within the funds appropriated by the Legislature. Priority shall be given to disabled adults who are not eligible for comparable services in programs of or funded by the department or the Division of Vocational Rehabilitation of *Jobs Florida* ~~the Department of Education~~; who are determined to be at risk of institutionalization; and whose income is at or below the existing institutional care program eligibility standard.

Section 382. Paragraph (c) of subsection (4) and subsection (8) of section 413.011, Florida Statutes, are amended to read:

413.011 Division of Blind Services, legislative policy, intent; internal organizational structure and powers; Rehabilitation Council for the Blind.—

(4) DEFINITIONS.—As used in this section, the term:

~~(c) “Department” means the Department of Education.~~

(8) REHABILITATION COUNCIL FOR THE BLIND.—There is created in *Jobs Florida* ~~the department~~ the Rehabilitation Council for the Blind, which is an advisory council as defined in s. 20.03, to assist the division in the planning and development of statewide vocational rehabilitation programs and services pursuant to the Rehabilitation Act of 1973, as amended, to recommend improvements to such programs and services, and to perform the functions provided in this section.

(a) The advisory council shall be composed of:

1. At least one representative of the Independent Living Council, which representative may be the chair or other designee of the council;
2. At least one representative of a parent training and information center established pursuant to s. 631(c)(9) of the Individuals with Disabilities Act, 20 U.S.C. s. 1431(c)(9);
3. At least one representative of the client assistance program established under the act;
4. At least one vocational rehabilitation counselor who has knowledge of and experience in vocational rehabilitation services for the blind, who shall serve as an ex officio nonvoting member of the council if the counselor is an employee of *Jobs Florida* ~~the department~~;
5. At least one representative of community rehabilitation program service providers;
6. Four representatives of business, industry, and labor;
7. At least one representative of a disability advocacy group representing individuals who are blind;
8. At least one parent, family member, guardian, advocate, or authorized representative of an individual who is blind, has multiple dis-

abilities, and either has difficulties representing himself or herself or is unable, due to disabilities, to represent himself or herself;

9. Current or former applicants for, or recipients of, vocational rehabilitation services; and

10. The director of the division, who shall be an ex officio member of the council.

(b) Members of the council shall be appointed by the Governor, who shall select members after soliciting recommendations from representatives of organizations representing a broad range of individuals who have disabilities, and organizations interested in those individuals.

(c) A majority of council members shall be persons who are:

1. Blind; and
2. Not employed by the division.

(d) The council shall select a chair from among its membership.

(e) Each member of the council shall serve for a term of not more than 3 years, except that:

1. A member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed shall be appointed for the remainder of such term; and

2. The terms of service of the members initially appointed shall be, as specified by the Governor, for such fewer number of years as will provide for the expiration of terms on a staggered basis.

(f) A member of the council may not serve more than two consecutive full terms.

(g) Any vacancy occurring in the membership of the council shall be filled in the same manner as the original appointment. A vacancy does not affect the power of the remaining members to execute the duties of the council.

(h) In addition to the other functions specified in this section, the council shall:

1. Review, analyze, and advise the division regarding the performance of the responsibilities of the division under Title I of the act, particularly responsibilities relating to:

- a. Eligibility, including order of selection;
- b. The extent, scope, and effectiveness of services provided; and
- c. Functions performed by state agencies that affect or potentially affect the ability of individuals who are blind to achieve rehabilitation goals and objectives under Title I.

2. Advise *Jobs Florida* ~~the department~~ and the division, and, at the discretion of *Jobs Florida* ~~the department~~ or division, assist in the preparation of applications, the state plan, the strategic plan, and amendments to the plans, reports, needs assessments, and evaluations required by Title I.

3. To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:

a. The functions performed by state agencies and other public and private entities responsible for performing functions for individuals who are blind.

b. Vocational rehabilitation services:

(I) Provided or paid for from funds made available under the act or through other public or private sources.

(II) Provided by state agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals who are blind.

4. Prepare and submit an annual report on the status of vocational rehabilitation services for the blind in the state to the Governor and the

Commissioner of the Rehabilitative Services Administration, established under s. 702 of the act, and make the report available to the public.

5. Coordinate with other councils within the state, including the Independent Living Council, the advisory panel established under s. 613(a)(12) of the Individuals with Disabilities Education Act, 20 U.S.C. 1413(a)(12), the State Planning Council described in s. 124 of the Developmental Disabilities Assistance and Bill of Rights Act, 42 U.S.C. s. 6024, and the state mental health planning council established under s. 1916(e) of the Public Health Service Act, 42 U.S.C. 300X-4(e).

6. Advise *Jobs Florida* ~~the department~~ and division and provide for coordination and the establishment of working relationships among *Jobs Florida* ~~the department~~, the division, the Independent Living Council, and centers for independent living in the state.

7. Perform such other functions consistent with the purposes of the act as the council determines to be appropriate that are comparable to functions performed by the council.

(i)1. The council shall prepare, in conjunction with the division, a plan for the provision of such resources, including such staff and other personnel, as may be necessary to carry out the functions of the council. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the plan.

2. If there is a disagreement between the council and the division in regard to the resources necessary to carry out the functions of the council as set forth in this section, the disagreement shall be resolved by the Governor.

3. The council shall, consistent with law, supervise and evaluate such staff and other personnel as may be necessary to carry out its functions.

4. While assisting the council in carrying out its duties, staff and other personnel shall not be assigned duties by the division or any other state agency or office that would create a conflict of interest.

(j) A council member may not cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest under state law.

(k) The council shall convene at least four meetings each year. These meetings shall occur in such places as the council deems necessary to conduct council business. The council may conduct such forums or hearings as the council considers appropriate. The meetings, hearings, and forums shall be publicly announced. The meetings shall be open and accessible to the public. The council shall make a report of each meeting which shall include a record of its discussions and recommendations, all of which reports shall be made available to the public.

Section 383. Subsection (3) of section 413.0111, Florida Statutes, is amended to read:

413.0111 Blind services direct-support organization.—

(3) The purposes and objectives of the direct-support organization must be consistent with the priority issues and objectives of *Jobs Florida* ~~the Department of Education~~ and must be in the best interests of the state, though the Division of Blind Services may permit, without charge, the appropriate use of property and facilities of the state by the direct-support organization subject to this section. Such use must be directly in keeping with the approved purposes of the direct-support organization.

Section 384. Paragraph (a) of subsection (2) and subsection (3) of section 413.051, Florida Statutes, are amended to read:

413.051 Eligible blind persons; operation of vending stands.—

(2) As used in this section, the term:

(a) "Blind licensee" means any blind person trained and licensed by the Division of Blind Services of *Jobs Florida* ~~the Department of Education~~ to operate a vending stand.

(3) Blind licensees shall be given the first opportunity to participate in the operation of vending stands on all state properties acquired after

July 1, 1979, when such facilities are operated under the supervision of the Division of Blind Services of *Jobs Florida* ~~the Department of Education~~.

Section 385. Subsection (1) of section 413.091, Florida Statutes, is amended to read:

413.091 Identification cards.—

(1) The Division of Blind Services of *Jobs Florida* ~~the Department of Education~~ shall issue identification cards to persons known to be blind or partially sighted, upon the written request of such individual.

Section 386. Subsection (1) of section 413.092, Florida Statutes, is amended to read:

413.092 Blind Babies Program.—

(1) The Blind Babies Program is created within the Division of Blind Services of *Jobs Florida* ~~the Department of Education~~ to provide community-based early-intervention education to children from birth through 5 years of age who are blind or visually impaired, and to their parents, families, and caregivers, through community-based provider organizations. The division shall enlist parents, ophthalmologists, pediatricians, schools, Infant and Toddlers Early Intervention Programs, and therapists to help identify and enroll blind and visually impaired children, as well as their parents, families, and caregivers, in these educational programs.

Section 387. Subsections (6), (8), and (10) of section 413.20, Florida Statutes, are amended, and present subsections (7) through (26) are renumbered as subsections (6) through (25), respectively, to read:

413.20 Definitions.—As used in this part, the term:

~~(6) “Department” means the Department of Education.~~

~~(7)(8) “Division” means the Division of Vocational Rehabilitation of *Jobs Florida* the Department of Education.~~

~~(9)(10) “Extended services” means one or more ongoing support services and other appropriate services needed to support and maintain a person who has a most significant disability in supported employment and to assist an eligible person in maintaining integrated and competitive employment. Extended services are based upon a determination of the needs of the eligible person as specified in the person’s individualized plan for employment and are provided by a state agency, a nonprofit private organization, an employer, or any other appropriate resource after the person has made the transition from support provided by *Jobs Florida* the department.~~

Section 388. Section 413.203, Florida Statutes, is amended to read:

413.203 Conflict of laws.—It is the intent of the Legislature that the provisions of this part not conflict with any federal statute or implementing regulation governing federal grant-in-aid programs administered by the Division of Vocational Rehabilitation of *Jobs Florida*. Wherever such a conflict is asserted by the applicable agency of the Federal Government, *Jobs Florida* ~~the Department of Education~~ shall submit to the United States Department of Education, or other applicable federal agency, a request for a favorable policy interpretation of the conflicting portions.

Section 389. Subsection (1) of section 413.395, Florida Statutes, is amended to read:

413.395 Florida Independent Living Council.—

(1) There is created the Florida Independent Living Council to assist the division and the Division of Blind Services of *Jobs Florida* ~~the Department of Education~~, as well as other state agencies and local planning and administrative entities assisted under Title VII of the act, in the expansion and development of statewide independent living policies, programs, and concepts and to recommend improvements for such programs and services. The council shall function independently of the division and, unless the council elects to incorporate as a not-for-profit corporation, is assigned to the division for administrative purposes only. The council may elect to be incorporated as a Florida corporation not for profit and, upon such election, shall be assisted in the incorporation by

the division for the purposes stated in this section. The appointed members of the council may constitute the board of directors for the corporation.

Section 390. Section 413.402, Florida Statutes, is amended to read:

413.402 Personal care attendant program.—The Florida Endowment Foundation for Vocational Rehabilitation shall enter into an agreement, ~~no later than October 1, 2008~~, with the Florida Association of Centers for Independent Living to administer the James Patrick Memorial Work Incentive Personal Attendant Services Program to provide personal care attendants to persons who have severe and chronic disabilities of all kinds and who are eligible under subsection (1). ~~Effective July 1, 2008~~, The Florida Association of Centers for Independent Living shall receive 12 percent of the funds paid to or on behalf of participants from funds to be deposited with the Florida Endowment Foundation for Vocational Rehabilitation pursuant to ss. 320.08068(4)(d) and 413.4021(1) to administer the program. ~~For the purpose of ensuring continuity of services, a memorandum of understanding shall be executed between the parties to cover the period between July 1, 2008, and the execution of the final agreement.~~

(1) In order to be eligible to participate in the program, a person must:

(a) Be at least 18 years of age, be a legal resident of this state, and be significantly and chronically disabled;

(b) Require a personal care attendant for assistance with or support for at least two activities of daily living as defined in s. 429.02, as determined by a physician, psychologist, or psychiatrist;

(c) Require a personal care attendant in order to accept a job or maintain substantial gainful employment; and

(d) Be able to acquire and direct a personal care attendant.

(2)(a) The Florida Association of Centers for Independent Living shall provide training to program participants on hiring and managing a personal care attendant and, in cooperation with the oversight group described in paragraph (b), adopt and revise the policies and procedures governing the personal care attendant program and the training program.

(b) The oversight group shall include, but need not be limited to, a member of the Florida Association of Centers for Independent Living, a person who is participating in the program, and one representative each from the Department of Revenue, the Department of Children and Family Services, the Division of Vocational Rehabilitation in *Jobs Florida* ~~the Department of Education~~, the Medicaid program in the Agency for Health Care Administration, the Florida Endowment Foundation for Vocational Rehabilitation, and the Brain and Spinal Cord Injury Program in the Department of Health.

Section 391. Paragraph (a) of subsection (2) of section 413.407, Florida Statutes, is amended to read:

413.407 Assistive Technology Advisory Council.—There is created the Assistive Technology Advisory Council, responsible for ensuring consumer involvement in the creation, application, and distribution of technology-related assistance to and for persons who have disabilities. The council shall fulfill its responsibilities through statewide policy development, both state and federal legislative initiatives, advocacy at both the state and federal level, planning of statewide resource allocations, policy-level management, reviews of both consumer responsiveness and the adequacy of program service delivery, and by performing the functions listed in this section.

(2) In addition to the other functions specified in this section, the council shall:

(a) Act as the board of directors of a not-for-profit corporation created by the division. Through the corporation, the council shall provide direction to Florida’s Alliance for Assistive Services and Technology, a project sponsored by *Jobs Florida* ~~the department~~ for the coordination and delivery of appropriate, cost-effective, state-of-the-art assistive technology services and devices.

Section 392. Subsection (1) of section 413.445, Florida Statutes, is amended to read:

413.445 Recovery of third-party payments for vocational rehabilitation and related services.—

(1) As used in this section, *the term* “vocational rehabilitation and related services” means any services that are provided or paid for by the Division of Vocational Rehabilitation of *Jobs Florida* ~~the Department of Education~~.

Section 393. Subsection (3) of section 1013.38, Florida Statutes, is amended to read:

1013.38 Boards to ensure that facilities comply with building codes and life safety codes.—

(3) The Department of Management Services may, upon request, provide facilities services for the Florida School for the Deaf and the Blind, the Division of Blind Services of *Jobs Florida*, and public broadcasting. As used in this section, the term “facilities services” means project management, code and design plan review, and code compliance inspection for projects as defined in s. 287.017(5).

And the title is amended as follows:

Delete line 371 and insert: 1011.76, 1012.2251, 20.15, 90.6063, 121.051, 215.311, 394.75, 410.604, 413.011, 413.0111, 413.051, 413.091, 413.092, 413.20, 413.203, 413.395, 413.402, 413.407, 413.445, and 1013.38, F.S.; conforming provisions to

MOTION

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

Senator Gaetz moved the following amendment which was adopted:

Amendment 6 (432248)—Delete line 3507 and insert: *Tourism Marketing. The division shall be known as VISIT Florida. Jobs Florida Partnership, Inc., may register the fictitious name, “VISIT Florida” for use in its activities of promoting Florida as a tourist destination.*

Pursuant to Rule 4.19, **SB 2156** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz—

SB 2160—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.23, F.S.; creating motor carrier weight inspection as an area of program responsibility within the Department of Transportation, which replaces motor carrier compliance; amending s. 20.24, F.S.; revising the divisions within the Department of Highway Safety and Motor Vehicles; creating the Office of Motor Carrier Compliance of the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles; amending ss. 110.205, 311.115, 316.302, 316.3025, 316.3026, 316.516, 316.545, 316.640, 320.18, and 321.05, F.S.; conforming provisions to changes made by the act; amending s. 288.816, F.S.; requiring the department rather than the Division of Motor Vehicles to issue special motor vehicle license plates; amending s. 311.121, F.S.; providing for a representative of the department rather than the Division of Driver Licenses to be appointed to the Seaport Security Officer Qualification, Training, and Standards Coordinating Council; amending s. 316.066, F.S.; revising circumstances under which a law enforcement officer is required to submit to the department a Florida Traffic Crash Report, Long Form; providing for the use of driver exchange-of-information forms under certain circumstances; eliminating provisions authorizing counties to establish certified central traffic records centers, including provisions authorizing the funding of such centers; deleting restrictions on the commercial use of crash reports; amending s. 316.1957, F.S.; requiring that motor vehicle records be maintained by the department; amending s. 316.613, F.S.; requiring the department rather than the Division of Motor Vehicles to provide notice of the requirements for child restraint devices; amending s. 318.15, F.S.; providing for the department rather than the Division of Driver Licenses to administer certain provisions governing the suspension of a person’s driver’s license and pri-

vilege to drive; amending s. 320.05, F.S.; providing for a Division of Motorist Services Procedures Manual; clarifying that the creation and maintenance of records by the division is not a law enforcement function; amending s. 320.275, F.S.; providing for a representative of the department rather than the Division of Motor Vehicles to be appointed to the Automobile Dealers Industry Advisory Board; amending s. 321.23, F.S.; specifying the fee to be charged for a copy of a uniform traffic citation; providing for a portion of the fees for crash reports to be distributed to the investigating agency under certain circumstances; authorizing the Department of Highway Safety and Motor Vehicles to scan the records of crash reports, which shall be considered original copies; amending s. 322.02, F.S.; providing for the Division of Motorist Services to administer ch. 322, F.S., relating to driver’s licenses; amending s. 322.135, F.S.; providing duties of the tax collectors with respect to driver’s license services; directing the tax collectors who are constitutional officers to assume all driver’s license issuance services by a certain date and according to a specified schedule; deleting obsolete provisions; authorizing the department to adopt rules creating exceptions for counties that are unable to provide full driver’s license services; providing for interlocal agreements to provide such services; amending s. 322.20, F.S.; providing for the department and the Division of Motorist Services to maintain certain records; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency and is not an adjunct of any law enforcement agency; amending s. 322.21, F.S.; requiring that a portion of the fees charged for the replacement of a driver’s license or identification card be used to support motorist services activities; requiring that such fees be retained by the tax collectors who issue driver’s licenses following the transition of the driver’s license issuance services to the constitutional tax collectors; providing for the Division of Motorist Services to collect fees and issue driver’s licenses and identification cards and account for all license funds in the administration of ch. 322, F.S.; repealing s. 334.044(32), F.S., relating to the authorization of the Office of Motor Carrier Compliance within the Department of Transportation to employ sworn law enforcement officers to enforce traffic and criminal laws in this state; amending s. 413.012, F.S., relating to certain confidential records; conforming a reference to changes made by the act; amending s. 921.0022, F.S.; conforming a cross-reference; creating the Law Enforcement Consolidation Task Force; providing for membership; requiring the Department of Highway Safety and Motor Vehicles to provide administrative assistance to the task force; requiring the agency that is represented by a member of the task force to bear the travel expenses incurred by the member; requiring the task force to evaluate the duplication of law enforcement functions and to identify possible consolidation; requiring the task force to evaluate administrative functions; requiring the task force to evaluate whether to limit the jurisdiction of the Florida Highway Patrol; requiring the task force to make recommendations and submit a report to the Legislature by a certain date; providing for future expiration; transferring the Office of Motor Carrier Compliance of the Department of Transportation to the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles; authorizing the Executive Office of the Governor to transfer funds and positions between agencies; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2160** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz—

SB 2162—A bill to be entitled An act relating to trust funds; creating the Welfare Transition Trust Fund within the Department of Education; providing for sources of funds and purposes; providing for the annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2162** was placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander—

SB 2094—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse

between the state and certified bargaining units of state employees; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2094** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 1738—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.90, F.S.; conforming a cross-reference; amending s. 215.91, F.S.; providing that the Financial Management Information Board is responsible for the system; deleting provisions relating to the Florida Financial Management Information System Coordinating Council; deleting references to functional owner subsystems; amending s. 215.92, F.S.; redefining terms and adding and deleting definitions; creating s. 215.922, F.S.; establishing the Agency for Enterprise Business Services within the Department of Financial Services; providing that the office is a separate budget entity not subject to the department; providing that the agency is headed by the Governor and Cabinet acting as the Financial Management Information Board; providing for an executive director; providing the duties of the agency; creating s. 215.923, F.S.; establishing the Enterprise Financial Business Operations Council to act in an advisory capacity to the agency; providing the members of the council; providing council duties; creating s. 215.924, F.S.; providing for an Enterprise Financial Business Strategic Plan; requiring the plan to be annually reviewed, updated, and submitted to the Legislature; providing for the contents of the plan; amending s. 215.93, F.S.; revising provisions relating to the Florida Financial Management Information System; renaming the Florida Accounting Information Resource Subsystem the Financial Management Subsystem; adding the Revenue and Tax Collection, Processing, and Distribution Subsystem; deleting references to functional owner subsystems and providing for enterprise business owners; revising the duties of the owners; deleting references to the design and coordination staff; providing for the ownership and functions of the Revenue and Tax Collection, Processing, and Distribution Subsystem by the Department of Revenue; amending s. 215.94, F.S.; deleting references to functional owner subsystems and providing for enterprise business owners; amending s. 215.95, F.S.; providing additional duties for the Financial Management Information Board; repealing s. 215.96, F.S., relating to the coordinating council and design and coordination staff; creating s. 215.961, F.S.; providing state agency requirements relating to the Florida Financial Management Information System and the use of functional information and enterprise agency business subsystems; amending s. 215.985, F.S., relating to the Transparency Florida Act; redefining the term “governmental entity” to include public schools rather than public school districts; requiring the Legislative Auditing Committee to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to the state’s official website; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring the Office of Policy and Budget to maintain the state’s financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the act; establishing a state contract management system on the website; requiring the Legislative Auditing Committee to adopt guidelines for administering the act; conforming terms; amending ss. 17.11, 216.102, 216.141, and 216.237, F.S.; conforming terms; providing for funding; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1738** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2096—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts and water

management districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.985, F.S., relating to the Transparency Florida Act; defining the term “department” to mean the Department of Financial Services; removing the term “committee”; redefining the term “governmental entity” to include public schools rather than public school districts; requiring the Chief Financial Officer to develop and maintain the transparency website; providing for the transition of the website to the department; requiring the department to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to the state’s official website; requiring certain functional owners and governmental entities to provide information specified by the department; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring each water management district to post certain information on its website; requiring the fiscal year of each water management district to be July 1 to June 30; requiring each water management district to maintain its financial data in a certain manner; requiring each water management district to submit monthly detailed financial reports to the department in a manner specified by the Chief Financial Officer; requiring the Chief Financial Officer to maintain the state’s financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the Transparency Florida Act; authorizing the department to adopt guidelines for administering the act; providing for public access to a state contract management system on the Transparency Florida website; requiring the collection of certain data; requiring that agency procurement staff update data in the state contract management system following a major change to a contract; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2096** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2098—A bill to be entitled An act relating to the consolidation of state information technology services; transferring, renumbering, and amending s. 14.204, F.S.; establishing the Agency for Enterprise Information Technology in the Department of Management Services rather than the Executive Office of the Governor; revising the duties of the agency to include the planning, project management, and implementation of the enterprise information technology services; requiring the agency to submit a plan to the Legislative Budget Commission for aggregating information technology purchases; deleting references to the Office of Information Security and the Agency Chief Information Officers Council; amending s. 282.0041, F.S.; revising definitions; amending s. 282.0056, F.S.; revising provisions relating to the agency’s annual work plan; amending s. 282.201, F.S.; revising the duties of the agency; deleting obsolete provisions; providing a schedule for the consolidations of state agency data centers; requiring agencies to update their service-level agreements and to develop consolidation plans; requiring the Agency for Enterprise Information Technology to submit a status report to the Governor and Legislature and to develop a comprehensive transition plan; requiring primary data centers to develop transition plans; revising agency limitations relating to technology services; amending s. 282.203, F.S.; deleting obsolete provisions; revising duties of primary data centers relating to state agency resources and equipment relinquished to the centers; requiring state agencies to relinquish all administrative access rights to certain resources and equipment upon consolidation; providing for the appointment of alternate board members; revising provisions relating to state agency representation on data center boards; conforming a cross-reference; amending s. 282.204, F.S.; establishing the Northwood Shared Resource Center in the Department of Management Services rather than the Department of Children and Family Services; creating s. 282.206, F.S.; establishing the Northwest Regional Data Center as a primary data center; providing for a board of trustees and subjecting the board to the rules of the Agency for Enterprise Information Technology; repealing s. 282.315, F.S., relating to the Agency Chief Information Officers Council; amending s. 282.318, F.S.; deleting references to the Office of Information Security with respect to responsibility for enterprise security; deleting obsolete provisions; amending s. 282.33, F.S.; deleting an obsolete provision; revising the schedule for the Agency for Enterprise Information Technology to submit certain recommendations to the Legislature; amending s. 282.34,

F.S.; revising the schedule for migrating state agencies to the statewide e-mail system; revising limitations on state agencies; revising the requirements for rules adopted by the Agency for Enterprise Information Technology; creating s. 282.35, F.S.; providing for a statewide desktop service as an enterprise information technology service to be provided by the Department of Management Services; requiring the Agency for Enterprise Information Technology to develop a plan for the establishment of the service and submit such plan to the Governor and Legislature by a certain date; specifying the contents of the plan; providing agency limitations with respect to such services and exceptions from such limitations if granted by the agency; amending ss. 287.042 and 287.056, F.S.; directing the department to adopt rules establishing conditions under which an agency may be exempted from using a state term contract or purchasing agreement; conforming provisions to changes made by the act; amending s. 287.057, F.S.; authorizing the department to adopt rules to be used by agencies to manage contracts; deleting a prohibition against an entity contracting to provide a feasibility study on certain subject matter from contracting with an agency for that subject matter; amending s. 45 of chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; transferring the Agency for Enterprise Information Technology and the Northwood Shared Resource Center to the Department of Management Services; requiring the agency to coordinate with the Southwood Shared Resource Center to provide a status report to the Executive Office of the Governor and to the Legislature; providing an effective date.

—was read the second time by title.

Senator Lynn moved the following amendment which was adopted:

Amendment 1 (415860) (with title amendment)—Delete lines 855-860 and insert: *as a primary data center.*

And the title is amended as follows:

Delete lines 43-46 and insert: Data Center as a primary data center; repealing s. 282.315, F.S., relating to

Pursuant to Rule 4.19, **SB 2098** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SB 2100—A bill to be entitled An act relating to retirement; amending ss. 110.123, 112.0801, 112.363, and 112.65, F.S.; conforming provisions to changes made by the act; amending s. 121.011, F.S.; requiring employee and employer contributions to the retirement system by a certain date; amending s. 121.021, F.S.; redefining the terms “system,” “prior service,” “compensation,” “average final compensation,” “normal retirement date,” “termination,” “benefit,” and “payee”; defining the term “division”; amending s. 121.051, F.S.; conforming provisions to changes made by the act; amending s. 121.0515, F.S.; providing that special risk employee contributions be used, if applicable, when purchasing credit for past service; conforming a cross-reference; amending s. 121.052, F.S., relating to the membership class of elected officers; conforming provisions to changes made by the act; providing for a refund of contributions under certain circumstances for an officer who leaves office; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming a cross-reference; amending s. 121.053, F.S.; conforming provisions to changes made by the act; amending s. 121.055, F.S., relating to the Senior Management Service Class; conforming provisions to changes made by the act; providing for refunds of employee refunds; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; deleting a prohibition against a retiree’s renewing membership in the Senior Management Service Optional Annuity Program; requiring employee and employer contributions for members in the Senior Management Service Optional Annuity Program after a certain date; limiting the payment of benefits before a member’s termination of employment; amending s. 121.071, F.S.; requiring employee and employer contributions to the retirement system beginning on a certain date; limiting the payment of benefits before a member’s termination of employment; requiring repayment plus interest of an invalid refund; amending s. 121.081, F.S.; providing requirements for contributions for prior service performed on or after a certain date; amending s. 121.091, F.S.; con-

forming a cross-reference; providing for refunds of employee refunds; limiting the payment of benefits before a member’s termination of employment; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; terminating participation in the Deferred Retirement Option Program after a certain date; conforming provisions to changes made by the act; amending s. 121.1001, F.S.; conforming provisions to changes made by the act; amending s. 121.101, F.S.; revising the cost-of-living adjustment depending on the date of retirement; amending s. 121.121, F.S., relating to the purchase of creditable service following an authorized leave of absence; requiring that service credit be purchased at the employee and employer contribution rates in effect during the leave of absence; reducing the interest rate on benefits payable under the Deferred Retirement Option Program for employees hired after a certain date; amending s. 121.122, F.S.; providing for renewed membership in the retirement system for retirees who are reemployed after a certain date; specifying requirements and limitations; amending s. 121.125, F.S.; conforming provisions to changes made by the act; assessing a penalty against employers for contributions not paid after a member becomes eligible for workers’ compensation; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; conforming provisions to changes made by the act; requiring employee and employer contributions for members participating in the optional retirement program after a certain date; deleting certain requirements governing employer contributions to conform to changes made by the act; prohibiting certain benefits before termination from employment; conforming cross-references; amending s. 121.355, F.S.; conforming provisions to changes made by the act; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Florida Retirement System Investment Plan; limiting the option of enrolling in the State Retirement System’s defined benefit program or defined contribution program to public employees employed before a certain date; requiring public employees employed on or after a certain date to enroll in the investment plan; providing exceptions; requiring that plan members make contributions to the plan based on the employee’s membership class; revising definitions; revising the benefit commencement age for members of the special risk class; providing for contribution adjustments as a result of errors or corrections; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the pension plan to the investment plan; providing for past employees who reenter the system; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; providing for a retiree to retain his or her prior plan choice following a return to employment; limiting certain refunds of contributions which exceed the amount that would have accrued had the member remained in the pension plan; providing certain requirements and limitations with respect to contributions; clarifying that employee and employer contributions are earmarked for specified purposes; providing duties of the third-party administrator; providing that a member is vested immediately with respect to employee contributions paid by the employee; providing for the forfeiture of nonvested employer contributions and service credit based on years of service; amending s. 121.4502, F.S.; conforming provisions to changes made by the act; amending s. 121.4503, F.S.; providing for the deposit of employee contributions into the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.571, F.S.; conforming provisions to changes made by the act; providing requirements for submitting employee contributions; amending s. 121.591, F.S.; prohibiting the payment of certain benefits before termination of employment; providing for the forfeiture of nonvested accumulations upon payment of certain vested benefits; providing that the distribution payment method selected by the member or beneficiary is irrevocable at the time of distribution; prohibiting a distribution of employee contributions if a qualified domestic relations order is filed against the member’s account; providing for the distribution of an employee’s contributions if the employee dies before being vested; conforming provisions to changes made by the act; amending ss. 121.5911 and 121.70, F.S.; conforming provisions to changes made by the act; amending s. 121.71, F.S.; providing for employee contributions to be deducted from the employee’s monthly salary, beginning on a specified date, and treated as employer contributions under certain provisions of federal law; clarifying that an employee may not receive such contributions directly; specifying the required contribution rate for all members of the Florida Retirement System; specifying the required employer retirement contribution rates for each membership class and subclass of the system in

order to address unfunded actuarial liabilities of the system; requiring an assessment to be imposed if the employee contributions remitted are less than the amount required; providing for the employer to receive a credit for excess contributions remitted; conforming cross-references; amending s. 121.72, F.S.; revising certain requirements governing allocations to optional retirement program member accounts; conforming cross-references; amending s. 121.73, F.S., relating to disability coverage for members of the optional retirement program; conforming provisions to changes made by the act; amending ss. 121.74, 121.75, and 121.77, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 121.78, F.S.; revising certain requirements for administering the payment and distribution of contributions; requiring that certain fees be imposed for delinquent payment; providing that an employer is responsible for recovering any refund provided to an employee in error; revising the terms of an authorized waiver of delinquency; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; amending s. 175.121, F.S.; specifying other sources available to pay the expenses of the Department of Revenue for administering firefighters' pension plans; amending s. 175.341, F.S.; conforming provisions to changes made by the act; amending s. 185.10, F.S.; specifying other sources available to pay the expenses of the department for administering police officers' pension plans; amending s. 185.23, F.S.; conforming provisions to changes made by the act; amending s. 250.22, F.S.; providing that retirement pay for members of the Florida National Guard is determined on the date of retirement and may not be recomputed to reflect an increase in basic pay; directing the Division of Retirement to annually adjust retirement pay after a certain date; amending s. 1012.875, F.S.; requiring employee and employer contributions for members of the State Community College System Optional Retirement Program on a certain date; conforming cross-references; providing that the act fulfills an important state interest; providing a directive to the Division of Statutory Revision; requiring the State Board of Administration and the Department of Management Services to request a private letter ruling from the United States Internal Revenue Service regarding the act; providing employers the option of contributing to the retirement account of a reemployed retiree during a specified period; providing an effective date.

—was read the second time by title.

On motion by Senator Alexander, further consideration of **SB 2100** was deferred.

Consideration of **SB 2102** was deferred.

On motion by Senator Alexander—

CS for CS for SB 1292—A bill to be entitled An act relating to the Chief Financial Officer; creating s. 215.89, F.S.; providing legislative intent; providing definitions; requiring the Chief Financial Officer to conduct workshops with state agencies, local governments, educational entities, and entities of higher education to gather information pertaining to uniform reporting requirements; requiring the Chief Financial Officer to accept comments from state agencies, local governments, educational entities, entities of higher education, and interested parties regarding proposed charts of account by a certain date; requiring the Chief Financial Officer to adopt charts of account which meet certain requirements by a certain date; requiring a review and update of the charts of account; requiring the Chief Financial Officer to consult with the Legislature, the Auditor General, and the affected parties about certain modifications; requiring the Chief Financial Officer to publish the charts of account by memoranda to all affected reporting entities; amending s. 120.52, F.S.; revising the definition of the term "rule" to include certain statements, memoranda, or instructions by the Chief Financial Officer on the manner in which accounts and financial information are kept and reported by state agencies, local governments, educational entities, and entities of higher education; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

SENATOR DOCKERY PRESIDING

Pursuant to Rule 4.19, **CS for CS for SB 1292** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2104—A bill to be entitled An act relating to the Office of Drug Control; amending s. 14.2019, F.S.; relocating the Statewide Office for Suicide Prevention into the Department of Children and Family Services; requiring the director of the Statewide Office for Suicide Prevention to employ a coordinator for the office; requiring revenues from grants accepted by the Statewide Office for Suicide Prevention to be deposited into the Grants and Donations Trust Fund within the Department of Children and Family Services rather than the Executive Office of the Governor; amending s. 14.20195, F.S.; requiring the director of the Statewide Office for Suicide Prevention, rather than the director of the Office of Drug Control, to appoint members to the Suicide Prevention Coordinating Council; providing that the director of the Statewide Office for Suicide Prevention is a nonvoting member of the coordinating council; repealing s. 311.115, F.S., relating to Seaport Security Standards Advisory Council within the Office of Drug Control; amending s. 311.12, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to maintain a sufficient number of copies of the standards for seaport security at its offices for distribution to the public and provide copies to each affected seaport upon request; conforming provisions to changes made by the act; amending s. 311.123, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to create a maritime domain security awareness training program; amending s. 397.331, F.S.; conforming provisions to changes made by the act; repealing s. 397.332, F.S., relating to the creation of the Office of Drug Control; amending s. 397.333, F.S.; relocating the Statewide Drug Policy Advisory Council into the Department of Health; requiring the Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to be a nonvoting, ex officio member of the advisory council; requiring the department to provide staff support for the advisory council; revising the state officials that are appointed to serve on the advisory council; amending s. 893.055, F.S.; conforming provisions to changes made by the act; requiring the State Surgeon General to appoint a board of directors for the direct-support organization to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program; requiring the State Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to provide guidance to members of the board of directors; requiring the direct-support organization to operate under written contract with the Department of Health rather than the Office of Drug Control; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department rather than the Office of Drug Control; requiring the direct-support organization to obtain a written approval from the State Surgeon General or his or her designee rather than the director of the Office of Drug Control for any activities in support of the prescription drug monitoring program before undertaking the activities; prohibiting the state from permitting use of any of its administrative services, property, or facilities by a direct-support organization under certain circumstances; amending s. 943.031, F.S.; revising the membership of the Florida Violent Crime and Drug Control Council; conforming provisions to changes made by the act; revising the membership of the Drug Control Strategy and Criminal Gang Committee; amending s. 943.042, F.S., relating to the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account; conforming provisions to changes made by the act; repealing s. 1006.07(7), F.S., relating to suicide prevention education; requesting the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to conform the Florida Statutes to the changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2104** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

SB 2106—A bill to be entitled An act relating to the Florida Energy and Climate Commission; amending ss. 213.053, 220.192, 288.1089, 288.9607, 366.82, and 366.92, F.S.; eliminating the Florida Energy and Climate Commission and transferring its duties with respect to a tax

credit, an incentive program, and the state's renewable energy policy to the Department of Environmental Protection; repealing s. 377.6015, F.S., relating to the Florida Energy and Climate Commission; amending ss. 377.602, 377.603, 377.604, 377.605, 377.606, 377.608, 377.701, 377.703, 377.803, 377.804, 377.806, 377.807, 377.808, 377.809, 403.44, 526.207, and 1004.648, F.S.; amending ss. 1 and 2 of chapter 2010-282, Laws of Florida; transferring the duties of the Florida Energy and Climate Commission with respect to planning and developing the state's energy policy and its duties under the Florida Energy and Climate Protection Act to the Department of Environmental Protection; providing for the transfer of the commission's duties and records, personnel, property, unexpended balances of appropriations, allocations, and other funds, administrative authority, administrative rules, pending issues, and existing contracts to the Department of Environmental Protection; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2106** was placed on the calendar of Bills on Third Reading.

SB 2108—A bill to be entitled An act relating to the welfare of children; repealing s. 39.001(6), (7), (8), (9), and (12), F.S., relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.0014, F.S.; requiring all state, county, and local agencies to cooperate, assist, and provide information to the Department of Children and Family Services rather than the Office of Adoption and Child Protection; repealing s. 39.01(46), F.S., relating to the definition of the term “office” as it relates to the Office of Adoption and Child Protection; amending s. 39.302, F.S.; conforming a cross-reference; amending s. 402.56, F.S.; relocating the Children and Youth Cabinet from the Executive Office of the Governor to the Department of Children and Family Services; revising the membership of the cabinet; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (565378) (with title amendment)—Delete lines 22 and 23 and insert:

Section 1. *Subsections (7), (8), (9), and (12) of section 39.001, Florida Statutes, are repealed.*

Section 2. Subsection (6) of section 39.001, Florida Statutes, is amended to read:

39.001 Purposes and intent; personnel standards and screening.—

(6) **LEGISLATIVE INTENT FOR THE PREVENTION OF ABUSE, ABANDONMENT, AND NEGLECT OF CHILDREN.**—The incidence of known child abuse, abandonment, and neglect has increased rapidly over the past 5 years. The impact that abuse, abandonment, or neglect has on the victimized child, siblings, family structure, and inevitably on all citizens of the state has caused the Legislature to determine that the prevention of child abuse, abandonment, and neglect shall be a priority of this state. ~~To further this end, it is the intent of the Legislature that an Office of Adoption and Child Protection be established.~~

And the title is amended as follows:

Delete lines 3-5 and insert: s. 39.001(7), (8), (9), and (12), F.S., relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.001, F.S.; removing obsolete provisions relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s.

Senator Rich moved the following amendment which was adopted:

Amendment 2 (404058) (with title amendment)—Delete lines 71-127.

And the title is amended as follows:

Delete lines 14-17.

On motion by Senator Hays, further consideration of **SB 2108** as amended was deferred.

On motion by Senator Hays—

SB 2110—A bill to be entitled An act relating to the Auditor General; amending s. 11.45, F.S.; redefining the term “financial audit” to conform with applicable auditing standards; defining the term “operational audit” to provide the objectives of such audits; clarifying the requirement for the Auditor General to conduct financial audits of the accounts and records of all district school boards in counties of a specified size once every 3 years; revising duties and responsibilities of the Auditor General; requiring that the Auditor General conduct operational audits at least every 3 years of certain additional state entities and district school boards and report on the activities of the ad valorem tax program of the Department of Revenue; amending ss. 25.075 and 28.35, F.S.; revising the duties of the Auditor General with respect to responsibilities for auditing certain reports made to the State Supreme Court and the operations of the Florida Clerks of Court Operations Corporation, respectively; repealing s. 195.096(7), F.S., relating to the Auditor General's responsibility for conducting a performance audit of the Department of Revenue's administration of ad valorem tax laws; amending s. 218.31, F.S.; redefining the term “financial audit” to conform with applicable auditing standards; amending s. 273.05, F.S.; revising requirements to issue rules for surplus property; repealing ss. 365.173(3) and 943.25(3), F.S., relating to the Auditor General's responsibilities for auditing the Emergency Communications Number E911 System Fund and criminal justice trust funds, respectively; amending s. 1002.36, F.S.; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; requiring colleges and universities that receive Florida Bright Futures Scholarship Program moneys to submit to the Department of Education a financial audit prepared by an independent certified public accountant or the Auditor General if the college or university expended more than a specified amount of program money; requiring that the audit include an examination of the institute's administration of the program; providing that the audit be submitted to the department within a certain time; requiring any institution that is not subject to the audit to attest, under penalty of perjury, that the moneys were used in compliance with the law; providing for the attestation be made annually in a form and format determined by the Department of Education; reenacting s. 11.40(3), F.S., relating to the Legislative Auditing Committee, to incorporate the amendments made to s. 11.45, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2110** was placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

On motion by Senator Alexander, the Senate resumed consideration of—

SB 2142—A bill to be entitled An act relating to the water management districts; creating s. 373.502, F.S.; providing requirements with respect to revenues received by each water management district and the unexpended balances of a district's local account; requiring that each district's expenditure of funds be as provided in the General Appropriations Act; providing for a contingency if a court finds such restriction to be invalid; amending s. 373.503, F.S.; providing that the Legislature may annually set the amount of revenue a district may raise through its ad valorem tax authority; prohibiting a district from imposing ad valorem taxes if the Legislature does not set the amount of revenue; amending s. 373.536, F.S.; changing the districts' fiscal year; revising provisions relating to the development of district budgets and review by the Executive Office of the Governor and Legislature; requiring that each district make budget information available to the public through the district's website; amending s. 403.891, F.S., relating to the Water Protection and Sustainability Program Trust Fund; conforming provisions to changes made by the act; amending ss. 373.026, 373.036, 373.707, and 373.709, F.S.; conforming cross-references; specifying the district millage rate during those months that the districts are in transition to a new fiscal year and capping the amount of revenues that may be collected; providing that each district may expend funds until its final

budget is approved; appropriating all prior year incurred obligations; providing for future expiration; providing an effective date.

—which was previously considered this day.

MOTION

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

Senator Hays moved the following amendment which was adopted:

Amendment 1 (458404)—Delete line 51 and insert: *these funds. Revenues received by each water management district shall be retained and used solely for each district's authorized purposes.*

Pursuant to Rule 4.19, **SB 2142** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander—

CS for CS for SB 1314—A bill to be entitled An act relating to state financial matters; amending s. 216.011, F.S.; defining the term “lease or lease-purchase of equipment”; amending s. 216.023, F.S.; requiring that specified information relating to certain contracts be included in an agency’s legislative budget request; amending s. 216.311, F.S.; defining the terms “contract” and “agreement”; prohibiting an agency or branch of state government, without legislative authority, from contracting to pay liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from paying interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting a party the right to collect fees or other revenues from nonparties; providing certain exemptions; prohibiting an agency from entering into certain leases without authorization by the Legislature or the Legislative Budget Commission; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and Legislature before entering into contracts containing certain provisions relating to expenditures; providing an exception for the Department of Transportation; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds a contract; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; requiring the agency head, executive director, or chief judge, as appropriate, or a designated senior management employee, to sign contracts that exceed a specified amount; requiring the agency head, executive director, or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred-payment purchases by state agencies unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending ss. 376.3075 and 403.1837, F.S.; conforming cross-references; repealing s. 287.056(2), F.S., relating to provisions providing agencies with the option of purchasing services from state term contracts; amending s. 45, chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; providing for application; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1314** was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF BILL

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

SB 2156—A bill to be entitled An act relating to governmental reorganization; transferring the functions and trust funds of the Agency

for Workforce Innovation to other agencies; transferring the Office of Early Learning Services to the Department of Education; transferring the Office of Unemployment Compensation to Jobs Florida; transferring the Office of Workforce Services to Jobs Florida; transferring the functions and trust funds of the Department of Community Affairs to other agencies; transferring the Florida Housing Finance Corporation to Jobs Florida; transferring the Division of Housing and Community Development to Jobs Florida; transferring the Division of Community Planning to Jobs Florida; transferring the Division of Emergency Management to the Executive Office of the Governor and renaming it as the “Office of Emergency Management”; transferring the Florida Building Commission to the Department of Business and Professional Regulation; transferring the responsibilities under the Florida Communities Trust to the Department of Environmental Protection; transferring the responsibilities under the Stan Mayfield Working Waterfronts program to the Department of Environmental Protection; transferring functions and trust funds of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor to Jobs Florida; providing legislative intent with respect to the transfer of programs and administrative responsibilities; providing for a transition period; providing for coordination between the Agency for Workforce Innovation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development and other state agencies to implement the transition; requiring that the Governor appoint a representative to coordinate the transition plan; requiring that the Governor submit information and obtain waivers as required by federal law; authorizing the Governor to transfer funds and positions between agencies upon approval from the Legislative Budget Commission to implement the act; directing the nonprofit entities to enter into a plan for merger; transferring the functions of Space Florida to the Jobs Florida Partnership, Inc.; providing legislative intent with respect to the merger of Enterprise Florida, Inc., the Florida Sports Foundation Incorporated, the Florida Tourism Industry Marketing Corporation d/b/a VISIT Florida, and the Florida Black Business Investment Board, Inc., into and the transfer of Space Florida to the Jobs Florida Partnership, Inc.; providing for a transition period; requiring that the Governor appoint a representative to coordinate the transition plan; providing for the transfer of any funds held in trust by the entities to be transferred to the Jobs Florida Partnership, Inc., to be used for their original purposes; requiring that the Governor submit information and obtain waivers as required by federal law; providing a directive to the Division of Statutory Revision to prepare conforming legislation; creating s. 14.2016, F.S.; establishing the Office of Emergency Management as a separate budget entity within the Executive Office of the Governor; providing for the director of the office to serve at the pleasure of the Governor; amending s. 20.15, F.S.; establishing the Division of Early Learning within the Department of Education; providing for the office to administer the school readiness system and the Voluntary Prekindergarten Education Program; creating s. 20.60, F.S.; creating Jobs Florida as a new department of state government; providing for the commissioner of Jobs Florida to be appointed by the Governor and confirmed by the Senate; establishing divisions of Jobs Florida and specifying their responsibilities; providing for Jobs Florida to serve as the designated agency for the purposes of federal workforce development grants; authorizing Jobs Florida to contract for training for employees of administrative entities and case managers of contracted providers; specifying that the Unemployment Appeals Commission is not subject to control, supervision, or direction from Jobs Florida; specifying the responsibilities of the commissioner of Jobs Florida; limiting the amount of the commissioner’s public remuneration; specifying powers and responsibilities of the Chief Inspector General in the Executive Office of the Governor with respect to Jobs Florida; providing for Jobs Florida to have an official seal; providing for Jobs Florida to administer the role of state government with respect to laws relating to housing; authorizing Jobs Florida to adopt rules; amending s. 112.044, F.S.; requiring an employer, employment agency, and labor organization to post notices required by the United States Department of Labor and the United States Equal Employment Opportunity Commission; amending s. 163.3164, F.S.; redefining the terms “state land planning agency” and “optional sector plans”; amending ss. 163.3177 and 163.3180, F.S.; deleting the word “optional” from the phrase “optional sector plans” to conform to changes made by the act; amending s. 163.3184, F.S.; creating exceptions to requirements for comprehensive plan amendments to be reviewed by the state land planning agency; requiring the state land planning agency to submit a copy of a comprehensive plan or plan amendment that relates to or includes a public schools facilities element to the Department of Education; amending s. 163.3191, F.S.; creating exceptions to requirements for a local govern-

ment to prepare an evaluation and appraisal report to assess progress in implementing the local government's comprehensive plan; deleting requirements for a local government to include in an evaluation and appraisal report certain statements to update a comprehensive plan; deleting a requirement for a local government to provide a proposed evaluation and appraisal report to certain entities and interested citizens; deleting provisions relating to a requirement for a local government to adopt an evaluation and appraisal report; providing for the report to be submitted as data and analysis in support of the amendments based on evaluation and appraisal report; deleting provisions relating to the delegation of the review of evaluation and appraisal reports; authorizing the state land planning agency to establish a phased schedule for adoption of amendments based on an evaluation and appraisal report; deleting a requirement for the state land planning agency to review the evaluation and appraisal report process and submit a report to the Governor and the Legislature regarding its findings; amending s. 163.3245, F.S.; renaming optional sector plans as sector plans; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting obsolete provisions; renaming long-term conceptual buildout overlays as long-term master plans; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date; authorizing certain development agreements between the developer and the local government; providing for continuation of certain existing land uses; amending s. 163.3246, F.S.; deleting the word "optional" from the phrase "optional sector plans" to conform to changes made by the act; amending s. 163.32465, F.S.; making the alternative state review of comprehensive plan amendments applicable statewide; amending s. 215.559, F.S.; providing for the Hurricane Loss Mitigation Program to be housed within the Office of Emergency Management; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing hurricane shelters; creating s. 288.005, F.S.; defining the terms "economic benefits" and "commissioner"; creating s. 288.048, F.S.; creating the incumbent worker training program within Jobs Florida; providing for the program to provide preapproved, direct, training-related costs; providing for the administration of the program by Jobs Florida in conjunction with Workforce Florida, Inc.; amending s. 288.061, F.S.; providing for Jobs Florida and the Jobs Florida Partnership, Inc., to review applications for state economic development incentives; authorizing Jobs Florida to enter into an agreement with an applicant relating to all incentives offered by the state; amending s. 288.095, F.S.; providing for the Economic Development Incentives account to be used for certain economic development incentives programs; providing for Jobs Florida to approve applications for certification or requests for participation in certain economic development programs; amending s. 288.1081, F.S.; providing for the Economic Gardening Business Loan Pilot Program to be administered by Jobs Florida; deleting provisions providing for certain funds to be deposited into the General Revenue Fund; deleting provisions that provide for the future repeal of the program; amending s. 288.1082, F.S.; providing for the Economic Gardening Technical Assistance Pilot Program to be administered by Jobs Florida; requesting the Division of Statutory Revision to rename part VII of ch. 288, F.S., as "Jobs Florida Partnership, Inc."; amending s. 288.901, F.S.; creating the Jobs Florida Partnership, Inc., as a nonprofit corporation; specifying that the partnership is subject to the provisions of chs. 119 and 286, F.S.; specifying that the partnership's board of directors is subject to certain requirements in ch. 112, F.S.; specifying the purposes of the partnership; creating the board of directors for the partnership; naming the Governor as chair of the board of directors; specifying appointment procedures, terms of office, selecting a vice chairperson, filling vacancies, and removing board members; providing for the appointment of at-large members to the board of directors; specifying terms; allowing the at-large members to make contributions to the partnership; specifying that the commissioner of Jobs Florida and the chairs of the advisory councils for each division shall serve as ex officio, nonvoting members of the board of directors; specifying that members of the board of directors shall serve without compensation, but are entitled to reimbursement for all reasonable, necessary, and actual expenses as determined by the board of directors; amending s. 288.9015, F.S.; specifying the powers of the partnership and the board of directors; authorizing liberal construction

of the partnership's statutory powers; prohibiting the partnership from pledging the full faith and credit of the state; allowing the partnership to indemnify, purchase, and maintain insurance on its board members, officers, and employees; amending s. 288.903, F.S.; specifying the duties of the partnership; amending s. 288.904, F.S.; providing for legislative appropriations; requiring a private match equal to at least 35 percent of the appropriation of public funds; specifying potential sources of private funding; directing the board of directors to develop annual budgets; providing for the partnership to enter into an agreement with Jobs Florida; requiring performance measures; requiring review of the partnership's activities as a return on the public's financial investment; directing the partnership to consult with the Office of Economic and Demographic Research when hiring an economic analysis firm to prepare the return on investment analysis and when hiring a survey research firm to develop, analyze and report on the results of its customer satisfaction survey; amending s. 288.905, F.S.; directing the partnership's board of directors to hire a president, who shall serve at the pleasure of the Governor; defining the president's role and responsibilities; specifying that no employee of the partnership shall earn more than the Governor, but provides for the granting of performance-based incentive payments to employees that may increase their total compensation in excess of the Governor's; amending s. 288.906, F.S.; requiring the partnership to prepare an annual report by December 1 of each year; specifying the content of the annual report; creating s. 288.907, F.S.; requiring the partnership to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring the partnership to promote and market this state to businesses in target industries and high-impact industries; creating s. 288.912, F.S.; requiring that certain counties and municipalities annually provide to the partnership an overview of certain local economic development activities; creating s. 288.92, F.S.; specifying divisions within the partnership; providing for hiring of staff; requiring each division to have a 15-member advisory council; specifying selection and appointments to the advisory council; creating s. 288.921, F.S.; creating the Division of International Trade and Business Development; specifying its responsibilities; providing for administration of a grant program; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.922, F.S.; creating the Division of Business Retention and Recruitment; specifying its responsibilities; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.923, F.S.; creating the Division of Tourism Marketing; providing definitions; specifying the division's responsibilities and duties, including a 4-year marketing plan; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.925, F.S.; creating the Division of Minority Business Development; specifying the division's responsibilities and duties; requiring an annual report; specifying minimum responsibilities of the advisory council; transferring, renumbering, and amending s. 288.1229, F.S.; creating the Division of Sports Industry Development; specifying the division's responsibilities; requiring an annual report; specifying minimum responsibilities of the advisory board; advisory board; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to Jobs Florida to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing Jobs Florida to approve the amendment application subject to certain requirements; requiring that Jobs Florida establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to Jobs Florida for designation of an enterprise zone; providing application requirements; authorizing Jobs Florida to designate an enterprise zone in Martin County; providing responsibilities of Jobs Florida; amending s. 409.942, F.S.; deleting amending s. 409.942, F.S.; deleting requirements that Workforce Florida, Inc., establish an electronic transfer benefit program; amending s. 411.0102, F.S.; requiring each participating early learning coalition board to develop a plan for the use of child care purchasing pool funds; amending s. 1002.73, F.S.; requiring the Department of Education to administer the operational requirements of the Voluntary Prekindergarten Education Program; requiring the Department of Education to adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts; requiring the Department of Education to adopt procedures for the distribution of funds to early learning coalitions; amending ss. 11.45, 14.20195, 15.18, 15.182, 16.615, 39.001, 45.031, 69.041, 112.3135, 119.071, 120.80, 125.01045, 159.803, 159.8081, 159.8083, 161.54, 163.03, 163.3178, 163.3221, 163.360, 166.0446, 175.021, 186.504, 186.505, 202.037, 212.08, 212.096, 212.097, 212.098, 212.20, 213.053, 215.5586, 216.136, 216.292, 216.231, 218.64, 220.03, 220.183, 220.191, 222.15,

250.06, 252.32, 252.34, 252.35, 252.355, 252.3568, 252.36, 252.365, 252.37, 252.371, 252.373, 252.38, 252.385, 252.40, 252.41, 252.42, 252.43, 252.44, 252.46, 252.55, 252.60, 252.61, 252.82, 252.83, 252.85, 252.86, 252.87, 252.88, 252.936, 252.937, 252.943, 252.946, 255.099, 259.035, 260.0142, 272.11, 282.34, 282.709, 287.09431, 287.09451, 287.0947, 288.012, 288.017, 288.018, 288.019, 288.021, 288.035, 288.047, 288.065, 288.0655, 288.0656, 288.06561, 288.0657, 288.0658, 288.0659, 288.075, 288.1045, 288.106, 288.107, 288.108, 288.1083, 288.1088, 288.1089, 288.1095, 288.1162, 288.11621, 288.1168, 288.1169, 288.1171, 288.122, 288.12265, 288.124, 288.1251, 288.1252, 288.1253, 288.1254, 288.386, 288.7011, 288.7015, 288.705, 288.706, 288.7094, 288.7102, 288.714, 288.773, 288.774, 288.776, 288.7771, 288.816, 288.809, 288.826, 288.95155, 288.955, 288.9519, 288.9520, 288.9603, 288.9604, 288.9605, 288.9606, 288.9614, 288.9624, 288.9625, 288.975, 288.980, 288.984, 288.9913, 288.9914, 288.9916, 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, 290.004, 290.0055, 290.0056, 290.0065, 290.0066, 290.00710, 290.0072, 290.00725, 290.0073, 290.0074, 290.0077, 290.014, 311.09, 311.11, 311.115, 311.22, 320.08058, 331.302, 331.3081, 331.369, 339.08, 339.135, 364.0135, 377.703, 377.711, 377.712, 377.804, 380.031, 380.06, 380.115, 380.285, 381.0054, 381.0086, 381.7354, 381.855, 383.14, 402.281, 402.45, 402.56, 403.42, 403.7032, 403.973, 409.017, 409.1451, 409.2576, 409.944, 409.946, 411.01, 411.0101, 411.01013, 411.01014, 411.01015, 411.0103, 411.0104, 411.0106, 411.011, 411.226, 411.227, 414.24, 414.40, 414.295, 414.411, 420.631, 420.635, 429.907, 440.12, 440.15, 440.381, 440.385, 440.49, 443.012, 443.036, 443.041, 443.051, 443.071, 443.091, 443.101, 443.111, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct support organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to Return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and international trade grants; 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 exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; repealing s. 446.60, F.S., which relates to assistance for displaced local exchange telecommunications company workers; repealing s. 1002.75, F.S., relating to the powers and duties of the Agency for Workforce Innovation; providing an effective date.

—for further consideration as amended this day.

RECONSIDERATION OF AMENDMENTS

On motion by Senator Storms, the Senate reconsidered the vote by which Amendment 2 (735614), Amendment 3 (838354), Amendment 4 (724440), and Amendment 5 (717748) were adopted. Amendment 2 (735614), Amendment 3 (838354), Amendment 4 (724440), and Amendment 5 (717748) failed.

Pursuant to Rule 4.19, SB 2156 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 6:00 p.m.

On motion by Senator Alexander—

SB 2000—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2011, and ending June 30, 2012, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

Senator Detert moved the following amendment:

Amendment 1 (995048)—

Table with columns DELETED and INSERT. Rows include EDUCATION, DEPARTMENT OF Program: Education - Fixed Capital Outlay 48150000, In Section 02 On Page 006, 15C Fixed Capital Outlay 089006 Community College Projects IOEL, In Section 02 On Page 007, DELETED the proviso immediately following Specific Appropriation 15C: SEMINOLE STATE COLLEGE OF FLORIDA Gen ren/rem, infrastruct, site improvement & acquisition... 586,700 Site/Facilities Acquisition-Alt Springs (sp)..... 9,170,666 and insert in lieu thereof: SEMINOLE STATE COLLEGE OF FLORIDA Gen ren/rem, infrastruct, site improvement & acquisition.. 2,586,700 Site/Facilities Acquisition-Alt Springs (sp)..... 7,170,666

Senator Detert moved the following substitute amendment which was adopted:

Substitute Amendment 1 (995059)—

Table with columns DELETED and INSERT. Rows include EDUCATION, DEPARTMENT OF Program: Education - Fixed Capital Outlay 48150000, In Section 02 On Page 006, 15C Fixed Capital Outlay 089006 Community College Projects IOEL, In Section 02 On Page 007, DELETED the proviso immediately following Specific Appropriation 15C: SEMINOLE STATE COLLEGE OF FLORIDA Site/Facilities Acquisition-Alt Springs (sp)..... 9,170,666 STATE COLLEGE OF FLORIDA, MANATEE-SARASOTA Gen ren/rem, infrastruct, site improvement & acquisition 599,976

and insert in lieu thereof:

SEMINOLE STATE COLLEGE OF FLORIDA	
Site/Facilities Acquisition-Alt Springs (sp).....	7,500,000
STATE COLLEGE OF FLORIDA, MANATEE-SARASOTA	
Gen ren/rem, infrastruct, site improvement & acquisition ..	2,270,642

Amendment 3 (995042)—

			DELETE	INSERT
	EDUCATION, DEPARTMENT OF			
	Program: Private Colleges And			
	Universities 48190000			
	In Section 02 On Page 014			
53	Special Categories 104125			
	Florida Resident Access Grant IOEC			
	1000 From General Revenue Fund	72,078,653		73,993,538
	CA 1,914,885 FS11 1,914,885			

Senator Wise moved the following amendment:

Amendment 2 (995054)—

	DELETE	INSERT
	EDUCATION, DEPARTMENT OF	
	Public Schools, Division Of	
	Program: State Grants/K-12 Program - Non	
	FEFP 48250400	
	In Section 02 On Page 022	
75	Special Categories 100952	
	Grants And Aids - Florida Diagnostic And	
	Learning Resources Centers IOEB	

Following Specific Appropriation 53, DELETE:

Funds in Specific Appropriation 53 shall be used for tuition assistance for qualified Florida students. Each college or university shall allocate funds at a minimum of \$500 for each student. The remaining funds shall be used to provide tuition assistance based on student financial need up to a maximum amount of \$2,425 per student.

In proviso following Specific Appropriation 75, DELETE:

University of Florida.....	443,383
University of Miami.....	417,506
Florida State University.....	416,231
University of South Florida.....	435,187
University of Florida Health Science Center at Jacksonville.	518,819

From the funds in Specific Appropriation 53, \$71,278,025 shall be allocated at the average award amount of \$2,066 for 2010-11 FRAG eligible institutions based on actual 2010-11 eligible student enrollment.

From the funds in Specific Appropriation 53, \$800,628 shall be allocated at the average award amount of \$652 for the newly eligible

AND INSERT:

University of Florida.....	446,225
University of Miami.....	446,225
Florida State University.....	446,225
University of South Florida Dept. of Developmental Medicine.	446,225
University of Florida Health Science Center at Jacksonville.	446,226

FRAG institution for 1,226 eligible students.

The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term if the funds appropriated are insufficient to provide a full award to all eligible students.

AND INSERT:

MOTION

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

Senator Wise moved the following substitute amendment which was adopted:

Substitute Amendment 2 (995076)—

	DELETE	INSERT
	EDUCATION, DEPARTMENT OF	
	Public Schools, Division Of	
	Program: State Grants/K-12 Program - Non	
	FEFP 48250400	
	In Section 02 On Page 022	
75	Special Categories 100952	
	Grants And Aids - Florida Diagnostic And	
	Learning Resources Centers IOEB	

Funds in Specific Appropriation 53 shall be used for tuition assistance for qualified Florida students.

From the funds in Specific Appropriation 53, \$71,262,538 shall be allocated at the average award amount of \$2,066 for 2010-11 FRAG eligible institutions based on actual 2010-11 eligible student enrollment. Each college or university shall allocate funds at a minimum of \$1,500 for each student. The remaining funds shall be used to provide tuition assistance based on student financial need up to a maximum amount of \$2,425 per student.

In proviso following Specific Appropriation 75, DELETE:

University of Florida.....	443,383
University of Miami.....	417,506
Florida State University.....	416,231
University of South Florida.....	435,187
University of Florida Health Science Center at Jacksonville.	518,819

From the funds in Specific Appropriation 53, \$2,731,000 shall be allocated at the average award amount of \$500 for the newly eligible FRAG institution for 5,462 eligible students. The institution shall allocate funds at a minimum of \$400 for each student. The remaining funds shall be used to provide tuition assistance based on student financial need up to a maximum amount of \$652 per student.

The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2010-11 enrollment.

AND INSERT:

University of Florida.....	446,225
University of Miami.....	446,225
Florida State University.....	446,225
University of South Florida.....	446,225
University of Florida Health Science Center at Jacksonville.	446,226

Universities, Division Of
Program: Educational And General
Activities 48900100

In Section 02 On Page 034
119 Aid To Local Governments 052310
Grants And Aids - Education And General
Activities IOEB

1000 From General Revenue Fund 1,451,302,780 1,449,387,895
CA -1,914,885 FS11 -1,914,885

In existing proviso language, following Specific Appropriation 119, DELETE:

Senator Lynn moved the following amendments which were adopted:

From the funds in Specific Appropriation 119, \$142,865,810 from the General Revenue Fund is provided for the creation or expansion of

programs that prepare students in the science, technology, engineering, and mathematics (STEM) fields. To be eligible for these funds, the university's foundation or external grants shall provide matching funds on a dollar-for-dollar basis. Prior to expending any of the funds, the Board of Governors shall submit a detailed distribution and program plan to the Legislative Budget Commission for review and approval.

AND INSERT:

From the funds in Specific Appropriation 119, \$140,950,925 from the General Revenue Fund is provided for the creation or expansion of programs that prepare students in the science, technology, engineering, and mathematics (STEM) fields. To be eligible for these funds, the university's foundation or external grants shall provide matching funds on a dollar-for-dollar basis. Prior to expending any of the funds, the Board of Governors shall submit a detailed distribution and program plan to the Legislative Budget Commission for review and approval.

Amendment 4 (995052)—

	DELETE	INSERT
EDUCATION, DEPARTMENT OF State Board Of Education 48800000		

In Section 02 On Page 030

At the end of existing proviso language, preceding Specific Appropriation 102, INSERT:

From the funds provided in Specific Appropriations 102 through 117 and 130 through 134, the State Board of Education and Board of Governors shall identify the percent of day, evening, and weekend utilization of higher education classroom facilities to accurately determine space needs. The State Board of Education and the Board of Governors shall review the data and develop recommendations for a revised funding formula or potential policy changes to increase the evening and weekend utilization of higher education classroom facilities during future school terms. These recommendations shall be provided to the chair of the Senate Budget Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor on or before January 15, 2012.

Amendment 5 (995040) was withdrawn.

Senator Hays moved the following amendment which was adopted:

Amendment 6 (995049)—

	DELETE	INSERT
BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF Program: Hotels And Restaurants Compliance And Enforcement 79200100		

In Section 06 On Page 280

2134 Expenses 040000 IOEA

Following Specific Appropriation 2134, INSERT:

From the funds provided in Specific Appropriation 2134, up to \$750,000 from the Hotel and Restaurant Trust Fund shall be transferred to the Office of Tourism, Trade, and Economic Development to fund a contract with the Florida Restaurant and Lodging Association, Inc., a Florida non-profit corporation, to continue the multi-media marketing campaign begun in 2010 in the aftermath of the Deepwater Horizon Oil Spill. This campaign shall be conducted throughout the state and the southeastern United States, pursuant to a plan approved and monitored by the office, for the purpose of promoting tourism in those areas of the state affected by the oil spill or the damaging public perception stemming from that event.

Senators Evers and Montford offered the following amendment which was moved by Senator Evers:

Amendment 7 (995038)—

	DELETE	INSERT
AGENCY FOR HEALTH CARE ADMINISTRATION Program: Health Care Services Medicaid Services To Individuals 68501400		

In Section 03 On Page 046
Special Categories 101582
Hospital Inpatient Services IOEE

177

1000	From General Revenue Fund	29,379,645	25,449,115
	CA -3,930,530 FSI2 -3,930,530		
2474	From Medical Care Trust Fund	2,009,952,762	2,004,962,437
	CA -4,990,325 FSI3 -4,990,325		

ELDER AFFAIRS, DEPARTMENT OF
Program: Services To Elders Program
Home And Community Services 65100400

In Section 03 On Page 080
Special Categories 109970
Capitated Nursing Home Diversion Waiver IOEE

382

1000	From General Revenue Fund	148,889,751	152,820,281
	CA 3,930,530 FSI2 3,930,530		
2516	From Operations And Maintenance Trust Fund	189,035,242	194,025,567
	CA 4,990,325 FSI9 4,990,325		

Insert proviso immediately following Specific Appropriation 382:

From the funds in Specific Appropriation 382, \$3,930,530 from the General Revenue Fund and \$4,990,325 from the Operations and Maintenance Trust Fund are provided to expand the current Nursing Home Diversion program by an additional 500 slots to assist the existing network of lead agencies in unserved and underserved rural areas to prepare for and participate in Medicaid managed care. The Department of Elder Affairs shall establish a pilot program in Planning and Service Areas (PSA) 1, 2, and the unserved counties in PSA 3 for Nursing Home Diversion. The pilot project shall require a contract with a not-for-profit provider partnered with the existing network of providers, to begin as soon as the contract for Nursing Home Diversion services with the provider is in place. Slots shall be allocated for the pilot only as eligible clients are identified and any unused slots shall be available to the rest of the state using the same methodology currently utilized by the department. As additional eligible clients are identified in the pilot program, slots shall be redirected to the pilot up to the total of 500 as they are available through attrition. Referrals shall be provided through the Aging Resource Centers. The department and Agency for Health Care Administration are authorized to waive the 'two providers per service' requirement in the rural counties. Until actuarial rates are established to be effective September 2012, the rate used will be the highest district rate effective September 2010, or September 2011, whichever is higher.

Substitute Amendment 7 (995067) was withdrawn.

MOTION

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

Senator Evers moved the following substitute amendment which was adopted:

Substitute Amendment 7 (995072)—

	DELETE	INSERT
AGENCY FOR HEALTH CARE ADMINISTRATION Program: Health Care Services Medicaid Services To Individuals 68501400		

In Section 03 On Page 046
Special Categories 101582
Hospital Inpatient Services IOEE

177

1000	From General Revenue Fund	29,379,645	29,229,645
	CA -150,000 FSI2 -150,000		
2474	From Medical Care Trust Fund	2,009,952,762	2,009,762,317
	CA -190,445 FSI3 -190,445		

Revenue Fund is provided on a recurring basis to the Doctors' Memorial Hospital to serve the North Florida communities of Holmes, Jackson, Walton, and Washington counties.

Senators Sobel and Negron offered the following amendment which was moved by Senator Sobel and adopted:

Amendment 9 (995039)—

ELDER AFFAIRS, DEPARTMENT OF
Program: Services To Elders Program
Home And Community Services 65100400

In Section 03 On Page 080

382	Special Categories 109970		
	Capitated Nursing Home Diversion Waiver IOEB		
1000	From General Revenue Fund	148,889,751	149,039,751
	CA 150,000 FSI2 150,000		
2516	From Operations And Maintenance Trust Fund	189,035,242	189,225,687
	CA 190,445 FSI9 190,445		

		DELETE	INSERT
	HEALTH, DEPARTMENT OF		
	Program: Community Public Health		
	Family Health Outpatient And Nutrition Services 64200300		
	In Section 03 On Page 085		
434	Special Categories 100778		
	Grants And Aids - Contracted Services IOEB		

Insert proviso immediately following Specific Appropriation 382:

From the funds in Specific Appropriation 382, \$150,000 from the General Revenue Fund and \$190,445 from the Operations and Maintenance Trust Fund are provided to expand the current Nursing Home Diversion program by an additional slots to assist the existing network of lead agencies in unserved and underserved rural areas to prepare for and participate in Medicaid managed care. The Department of Elder Affairs shall establish a pilot program in Planning and Service Areas (PSA) 1, 2, and the unserved counties in PSA 3 for Nursing Home Diversion. The pilot project shall require a contract with a not-for-profit provider partnered with the existing network of providers, to begin as soon as the contract for Nursing Home Diversion services with the provider is in place. Slots shall be allocated for the pilot only as eligible clients are identified and any unused slots shall be available to the rest of the state using the same methodology currently utilized by the department. As additional eligible clients are identified in the pilot program, slots shall be redirected to the pilot up to the total of 500 as they are available through attrition. Referrals shall be provided through the Aging Resource Centers. The department and Agency for Health Care Administration are authorized to waive the 'two providers per service' requirement in the rural counties. Until actuarial rates are established to be effective September 2012, the rate used will be the highest district rate effective September 2010, or September 2011, whichever is higher.

1000	From General Revenue Fund	3,464,284	4,241,453
	CA 777,169 FSI1 777,169		

Following Specific Appropriation 434, INSERT:

From the funds in Specific Appropriation 434, \$777,169 in recurring General Revenue funds is provided to the University of Miami for the Crohn's Disease and Ulcerative Colitis Project.

	AGENCY FOR HEALTH CARE ADMINISTRATION		
	Program: Health Care Services		
	Medicaid Services To Individuals 68501400		
	In Section 03 On Page 046		
177	Special Categories 101582		
	Hospital Inpatient Services IOEB		
1000	From General Revenue Fund	29,379,645	28,602,476
	CA -777,169 FSI2 -777,169		

Senator Negron moved the following amendments which were adopted:

Amendment 10 (995045)—

Senator Negron moved the following amendment which was adopted:

Amendment 8 (995037)—

		DELETE	INSERT
	AGENCY FOR HEALTH CARE ADMINISTRATION		
	Program: Health Care Services		
	Medicaid Services To Individuals 68501400		
	In Section 03 On Page 046		
177	Special Categories 101582		
	Hospital Inpatient Services IOEB		
1000	From General Revenue Fund	29,379,645	28,779,645
	CA -600,000 FSI2 -600,000		
	HEALTH, DEPARTMENT OF		
	Program: Community Public Health		
	Family Health Outpatient And Nutrition Services 64200300		
	In Section 03 On Page 084		
429	Aid To Local Governments 050582		
	Grants And Aids-Rural Diversity Minority Health Care IOEB		
1000	From General Revenue Fund	1,000,000	1,600,000
	CA 600,000 FSI1 600,000		

		DELETE	INSERT
	CHILDREN AND FAMILY SERVICES, DEPARTMENT OF		
	Administration		
	Program: Executive Leadership		
	Executive Direction And Support Services 60900101		
	In Section 03 On Page 066		
265	Special Categories 100777		
	Contracted Services IOEA		
1000	From General Revenue Fund	564,078	664,078
	CA 100,000 FSI1 100,000		

From the funds in Specific Appropriation 265, \$100,000 in recurring General Revenue funds is provided to the Myron Rolle Wellness and Leadership Academy.

	AGENCY FOR HEALTH CARE ADMINISTRATION		
	Program: Health Care Services		
	Medicaid Services To Individuals 68501400		
	In Section 03 On Page 046		
177	Special Categories 101582		
	Hospital Inpatient Services IOEB		
1000	From General Revenue Fund	29,379,645	29,279,645
	CA -100,000 FSI2 -100,000		

Amendment 11 (995047)—

Following Specific Appropriation 429, INSERT:

From the funds in Specific Appropriation 429, \$600,000 from the General

	DELETE	INSERT
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CHILDREN AND FAMILY SERVICES, DEPARTMENT OF Services
Program: Substance Abuse Program
Substance Abuse Services 60910604

Services 64200300
In Section 03 On Page 084
432 Special Categories 100766
Grants And Aids - Crisis Counseling IOEB

335 In Section 03 On Page 075
Special Categories 100618
Grants And Aids - Community Substance Abuse Services IOEB

1000 From General Revenue Fund 2,000,000 1,000,000
CA -1,000,000 FSI1 -1,000,000

1000 From General Revenue Fund 2,946,100 13,049,080
CA 10,102,980 FSI2 10,102,980

DELETE the proviso following Specific Appropriation 432:

Following Specific Appropriation 335, INSERT:

From the funds in Specific Appropriation 335, \$10,102,980 in recurring General Revenue funds is provided for Adult Substance Abuse Detoxification Services.

From the funds in Specific Appropriation 432, a minimum of 85 percent shall be spent on direct client services, website maintenance and Option Line and no more than \$400 shall be spent per month per direct service provider on contract management. The 85 percent shall be divided between contract management providers based on the number of 2010-2011 fiscal year maximum allowed direct service providers (70 percent/30 percent). To ensure program transparency and efficiency each contract management provider shall cross-monitor the five highest 2010-2011 contract year program utilizers of the other contract management provider.

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400

AND INSERT:

177 In Section 03 On Page 046
Special Categories 101582
Hospital Inpatient Services IOEB

From the funds in Specific Appropriation 432, a minimum of 90 percent shall be spent on direct client services. Funds shall not be used for advertising, billboards, yellow book ads, or capital expenditures.

1000 From General Revenue Fund 29,379,645 19,276,665
CA -10,102,980 FSI2 -10,102,980

424 Aid To Local Governments 050001
Grants And Aids - Family Planning Services IOEB

Senator Sobel moved the following amendment:

Amendment 12 (995043)—

1000 From General Revenue Fund 4,245,455 5,245,455
CA 1,000,000 FSI1 1,000,000

HEALTH, DEPARTMENT OF DELETED INSERT
Program: Community Public Health
Family Health Outpatient And Nutrition Services 64200300

The question recurred on **Amendment 12 (995043)** which was withdrawn.

432 In Section 03 On Page 084
Special Categories 100766
Grants And Aids - Crisis Counseling IOEB

SENATOR BENNETT PRESIDING

Amendment 13 (995050) was withdrawn.

Amendment 14 (995051) was withdrawn.

Substitute Amendment 14 (995061) was withdrawn.

1000 From General Revenue Fund 2,000,000 0
CA -2,000,000 FSI1 -2,000,000

Senators Fasano and Dockery offered the following amendment which was moved by Senator Fasano and adopted:

DELETE the proviso immediately following Specific Appropriation 432:

Amendment 15 (995053)—

From the funds in Specific Appropriation 432, a minimum of 85 percent shall be spent on direct client services, website maintenance and Option Line and no more than \$400 shall be spent per month per direct service provider on contract management. The 85 percent shall be divided between contract management providers based on the number of 2010-2011 fiscal year maximum allowed direct service providers (70 percent/30 percent). To ensure program transparency and efficiency each contract management provider shall cross-monitor the five highest 2010-2011 contract year program utilizers of the other contract management provider.

CORRECTIONS, DEPARTMENT OF DELETED INSERT
Program: Community Corrections 70050000
In Section 04 On Page 116

Immediately preceding Specific Appropriation 689, DELETE:

424 Aid To Local Governments 050001
Grants And Aids - Family Planning Services IOEB
1000 From General Revenue Fund 4,245,455 6,245,455
CA 2,000,000 FSI1 2,000,000

From the funds in Specific Appropriations 689 through 723, the Department of Corrections shall issue a request for proposal (RFP), as defined in section 287.057(1)(b), Florida Statutes, for the management and operation of department probation and field services offices as well as community supervision services in Manatee, Hardee, Indian River, Okeechobee, Highlands, St. Lucie, DeSoto, Sarasota, Charlotte, Glades, Martin, Palm Beach, Hendry, Lee, Collier, Broward, Dade and Monroe counties. The RFP shall require a significant cost savings in the operational costs of the facilities and community supervision services. These estimated cost savings shall be reported by the department to the chairs of the Senate Budget Committee and the House Appropriations Committee by March 1, 2012. In order to award the contract, the Department of Corrections shall report its intent to award a contract and submit a budget amendment to the Legislative Budget Commission accompanied by a plan for transitioning staff and maintaining state assets.

Senator Sobel moved the following substitute amendment which failed:

Substitute Amendment 12 (995056)—

HEALTH, DEPARTMENT OF DELETED INSERT
Program: Community Public Health
Family Health Outpatient And Nutrition

The contract between the Department of Corrections and the private

provider must specify performance measures to ensure contractor performance and accountability. The required performance measures shall include, but are not limited to: percentage of offenders who successfully complete supervision and are not subsequently recommitted to the Department of Corrections for committing a new crime within two years; percentage of offenders that successfully complete their sentence or are still under supervision at the end of a two year measurement period; percentage of community supervision offenders who have completed drug treatment without subsequent recommitment to community supervision or prison within 24 months after release; substance abuse tests administered to offenders being supervised in the community; percentage of substance abuse tests administered to offenders being supervised in the community in which negative test results were obtained; percentage of inmates who have completed drug treatment without subsequent recommitment to community supervision or prison within 24 months after release. Contracts shall also include a provision that requires employees displaced from this transition to be given first consideration for employment with the private service provider that is awarded the contract.

Senators Fasano and Gaetz offered the following amendment which was moved by Senator Fasano and adopted:

Amendment 16 (995041)—

Table with columns for DELETED and INSERTED amounts. Includes items like JOBS FLORIDA, Division Of Strategic Business Development, and various Special Categories and Quick Action Closing Funds.

At the end of existing proviso language, following Specific Appropriation 2535BU, INSERT:

From the funds in Specific Appropriation 2535BU, \$100,000 from nonrecurring funds is provided for the Connections Job Development Program.

Senator Latvala moved the following amendment which was adopted:

Amendment 17 (995044)—

Table with columns for DELETED and INSERTED amounts. Includes items like JOBS FLORIDA, Division Of Strategic Business Development, and various Special Categories and Economic Development Projects.

At the end of existing proviso language, following Specific Appropriation 2535AH, INSERT:

Florida Holocaust Museum.....150,000

Amendment 18 (995046) was withdrawn.

THE PRESIDENT PRESIDING

Senator Bennett moved the following amendment which was adopted:

Amendment 19 (995057)—

Table with columns for DELETED and INSERTED amounts. Includes items like AGENCY FOR HEALTH CARE ADMINISTRATION, Program: Health Care Services, Medicaid Long Term Care, and various Special Categories and Nursing Home Care IOEE.

DELETE the proviso immediately following Specific Appropriation 208:

Funds in Specific Appropriation 208 reflect a reduction of \$3,191,773 from the General Revenue Fund and \$4,052,378 from the Medical Care Trust Fund due to the elimination of nursing home bed hold days.

Table with columns for DELETED and INSERTED amounts. Includes items like Medicaid Services To Individuals, Hospital Inpatient Services, and various Special Categories and Nursing Home Care IOEE.

RECONSIDERATION OF AMENDMENT

On motion by Senator Bennett, the Senate reconsidered the vote by which Amendment 19 (995055) was adopted.

MOTION

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

Senator Storms moved the following amendment to Amendment 19 which failed:

Amendment 19A (995077)—

Table with columns for DELETED and INSERTED amounts. Includes items like CORRECTIONS, DEPARTMENT OF, Program: Health Services, and various Special Categories and Nursing Home Care IOEE.

DELETE the proviso preceding Specific Appropriation 726 :

From the funds in Specific Appropriation 726 through 741, the Department of Corrections, or its designee, shall establish a pilot in the Health Services Program to use a supply chain management company for the purchase of health care products and supplies for facilities that are operated by the department in Pinellas, Hillsborough, Manatee, Pasco, Charlotte, DeSoto, Lee, Manatee, and Sarasota counties. The department shall issue a request for proposal, as defined in section 287.057(1)(b), Florida Statutes, to contract with a company for these services. The company must be Florida-based and owned by a Florida hospital. The department shall report any budget savings to the chairs of the Senate

Budget Committee and the House Appropriations Committee by February 1, 2012.

and insert in lieu thereof:

From the funds in Specific Appropriation 726 through 741, the Department of Corrections, or its designee, shall establish a pilot in the Health Services Program to use a supply chain management company for the purchase of health care products and supplies for facilities that are operated by the department in Pinellas, Hillsborough, Manatee, Pasco,

Charlotte, DeSoto, Lee, Manatee, and Sarasota counties. The department shall issue a request for proposal, as defined in section 287.057(1)(b), Florida Statutes, to contract with a company for these services. The company must be Florida-based. The department shall report any budget savings to the chairs of the Senate Budget Committee and the House Appropriations Committee by February 1, 2012.

The question recurred on Amendment 19 (995055) which was adopted.

MOTION

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

Senator Negron moved the following amendments which were adopted:

Amendment 20 (995057)—

Table with columns for AGENCY FOR HEALTH CARE ADMINISTRATION, DELETED, and INSERTED amounts. Includes line items for Medicaid Long Term Care and Nursing Home Care.

DELETE the proviso immediately following Specific Appropriation 208:

Funds in Specific Appropriation 208 reflect a reduction of \$3,191,773 from the General Revenue Fund and \$4,052,378 from the Medical Care Trust Fund due to the elimination of nursing home bed hold days.

Table with columns for Medicaid Services To Individuals, DELETED, and INSERTED amounts. Includes line items for General Revenue Fund and Medical Care Trust Fund.

Amendment 21 (995058)—

Table with columns for AGENCY FOR HEALTH CARE ADMINISTRATION, DELETED, and INSERTED amounts. Includes line items for Medicaid Services To Individuals and Prescribed Medicine/Drugs.

CA 3,922,585 FSI3 3,922,585

DELETE the proviso immediately following Specific Appropriation 193:

Funds in Specific Appropriation 193, reflect a reduction of \$6,154,830 from the General Revenue Fund and \$7,845,170 from the Medical Care Trust Fund as a result of reducing the pharmacy dispensing fee from \$3.73 to \$2.73, effective July 1, 2011.

Insert proviso immediately following Specific Appropriation 193:

Funds in Specific Appropriation 193, reflect a reduction of \$3,077,415 from the General Revenue Fund and \$3,922,585 from the Medical Care Trust Fund as a result of reducing the pharmacy dispensing fee from \$3.73 to \$3.23, effective July 1, 2011.

In Section 03 On Page 046
177 Special Categories 101582
Hospital Inpatient Services IOEE

Table with columns for From General Revenue Fund, From Medical Care Trust Fund, and amounts. Includes line items 1000 and 2474.

MOTION

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

Senators Dean and Hays offered the following amendment which was moved by Senator Dean and adopted:

Amendment 22 (995060)—

Table with columns for ENVIRONMENTAL PROTECTION, DEPARTMENT OF, DELETED, and INSERTED amounts. Includes line items for Water Science And Laboratory Services and Fixed Capital Outlay.

Following Specific Appropriation 1648A, INSERT:

From the funds in Specific Appropriation 1648A, \$100,000 shall be used by the Department of Environmental Protection in consultation with the South Florida Water Management District, USDA, IFAS and providers of natural biological nutrient removal systems to identify toxins in the Taylor Creek watershed that prevent performance of natural biological nutrient removal systems.

MOTION

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

Senator Garcia moved the following amendment which was adopted:

Amendment 23 (995062)—

Table with columns for HEALTH, DEPARTMENT OF, DELETED, and INSERTED amounts. Includes line items for Community Public Health Family Health Outpatient And Nutrition Services and Grants And Aids - Contracted Services.

1000 From General Revenue Fund 3,464,284 3,474,284
CA 10,000 FSI1 10,000

1000 From General Revenue Fund 3,464,284 3,964,284
CA 500,000 FSI1 500,000

AND INSERT:

AND INSERT:

From the funds in Specific Appropriation 434, \$10,000 in recurring
General funds is provided to the South Florida Fragile X Clinic (SFFXC)
at the University of Miami to expand evaluation and treatment services
to children and adolescents who have Fragile X.

From the funds in Specific Appropriation 434, \$500,000 in recurring
general revenue funds is provided to the Health Care Center for the
Homeless, Inc., to serve homeless and uninsured residents in Orange,
Osceola, and Seminole counties.

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400

In Section 03 On Page 046

In Section 03 On Page 046

177 Special Categories 101582
Hospital Inpatient Services IOEE

177 Special Categories 101582
Hospital Inpatient Services IOEE

1000 From General Revenue Fund 29,379,645 29,369,645
CA -10,000 FSI2 -10,000

1000 From General Revenue Fund 29,379,645 28,879,645
CA -500,000 FSI2 -500,000

Amendment 24 (995063) was withdrawn.

Amendment 27 (995068)—

Substitute Amendment 24 (995065) was withdrawn.

MOTION

On motion by Senator Bennett, by the required two-thirds vote, con-
sideration of the following amendment was allowed:

Senator Bennett moved the following amendment which was adopted:

Amendment 25 (995064)—

DELETE INSERT
JOBS FLORIDA
Division Of Strategic Business
Development 85500000
In Section 06 On Page 324
2535AF Special Categories 100259
Quick Action Closing Fund IOEA

DELETE INSERT
HEALTH, DEPARTMENT OF
Program: Community Public Health
Family Health Outpatient And Nutrition
Services 64200300
In Section 03 On Page 085
434 Special Categories 100778
Grants And Aids - Contracted Services IOEB

1000 From General Revenue Fund 3,464,284 3,964,284
CA 500,000 FSI1 500,000

AND INSERT:

From the funds in Specific Appropriation 434, \$500,000 in recurring
general revenue funds is provided to the Apopka Family Health Center to
address rural minority health issues.

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400

In Section 03 On Page 046
177 Special Categories 101582
Hospital Inpatient Services IOEE

1000 From General Revenue Fund 45,551,964 45,051,964
CA -500,000 FSI1NR -500,000

1000 From General Revenue Fund 29,379,645 28,879,645
CA -500,000 FSI2 -500,000

2535AH Special Categories 100562
Economic Development Projects IOEA

Amendment 28 was not used.

1000 From General Revenue Fund 1,060,000 1,560,000
CA 500,000 FSI1NR 500,000

At the end of existing proviso language, following Specific
Appropriation 2535AH, INSERT:

World Class International Regatta Sports Center - Nathan Benderson
Park.....500,000

MOTION

On motion by Senator Siplin, by the required two-thirds vote, con-
sideration of the following amendments was allowed:

Senator Siplin moved the following amendments which were adopted:

Amendment 26 (995066)—

DELETE INSERT
HEALTH, DEPARTMENT OF
Program: Community Public Health
Family Health Outpatient And Nutrition
Services 64200300
In Section 03 On Page 085
434 Special Categories 100778
Grants And Aids - Contracted Services IOEB

DELETE INSERT
AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals 68501400
In Section 03 On Page 057
193 Special Categories 102681
Prescribed Medicine/Drugs IOEE

DELETE the proviso immediately following Specific Appropriation 193:

From the funds in Specific Appropriation 193, the agency shall issue an invitation to negotiate with a pharmacy or pharmacies to provide mail order delivery services at no cost to the patients who elect to receive their drugs in this manner for patients with chronic disease states including but not limited to congestive heart failure, diabetes, HIV/AIDS, patients suffering from end stage renal disease or cancer in order to assist Medicaid patients in securing prescriptions and to reduce program costs. The agency shall select patients appropriate for this mail order project and shall limit the number of participants to 20,000 patients statewide.

Insert proviso immediately following Specific Appropriation 193:

From the funds in Specific Appropriation 193, the agency shall issue an invitation to negotiate with a pharmacy or pharmacies to provide mail order delivery services at no cost to the patients who elect to receive their drugs in this manner for patients with chronic disease states including but not limited to congestive heart failure, diabetes, HIV/AIDS, patients suffering from end stage renal disease or cancer in order to assist Medicaid patients in securing prescriptions and to reduce program costs. The agency shall select patients appropriate for this mail order project and shall limit the number of participants to 20,000 patients statewide. The Agency for Health Care Administration shall authorize any community pharmacy with a Medicaid provider number the opportunity to offer a 90 day supply of prescription drugs to patients with the same chronic medical conditions specified in this proviso under the condition that the community pharmacy agrees to accept a dispensing fee which is 1.5 times the amount of the dispensing fee paid for a 30 day prescription.

Amendment 30 (995070) was withdrawn.

Amendment 31 (995073) was withdrawn.

MOTION

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

Senator Dean moved the following amendment which was adopted:

Amendment 32 (995074)—

DELETED INSERT
CHILDREN AND FAMILY SERVICES, DEPARTMENT
OF
Services
Program: Mental Health Program
Mental Health Services 60910506
In Section 03 On Page 071

DELETE the proviso immediately following MENTAL HEALTH SERVICES:

From the funds in Specific Appropriations 310 through 314, expenditures for Florida State Hospital are reduced by 10 percent for its civil commitment component and 7 percent for its forensic commitment component, and expenditures for North Florida Evaluation and Treatment Center are reduced by 7 percent in Fiscal Year 2011-2012 compared to Fiscal Year 2010-2011 expenditures. In order to implement these budget reductions, the department may realign funds between the civil and forensic component pursuant to chapter 216, Florida Statutes. These mental health treatment facilities shall meet the same performance measures and standards as required by contractual agreement with outsourced civil and forensic mental health treatment facilities. Such performance measures and standards shall be based upon comparable resident populations. The department shall submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives no later than 45 days after the end of each fiscal quarter in Fiscal Year 2011-2012. These reports shall show the expenditure levels for each mental health institution compared with the comparable fiscal quarter in Fiscal Year 2010-2011, and show performance on each performance measure and standard for each mental health institution, both state operated and contracted.

From the funds in Specific Appropriations 310 through 314, the department shall privatize Northeast Florida State Hospital by means of

one of the following: operation by a local government unit, operation by the employees of the hospital and a nonprofit organization established by the employees for this purpose, or operation by a private or nonprofit corporation with or without reconstruction of a facility on the land on which it currently rests. The department shall use a selection committee appointed by the department secretary of not less than five persons, which shall include at least three persons from outside the department. The committee shall select the proposal that provides the best overall long-term value to the State of Florida.

Insert proviso immediately following MENTAL HEALTH SERVICES:

From the funds in Specific Appropriations 310 through 314, expenditures for Florida State Hospital are reduced by 10 percent for its civil commitment component and 7 percent for its forensic commitment component, and expenditures for North Florida Evaluation and Treatment Center are reduced by 7 percent in Fiscal Year 2011-2012 compared to Fiscal Year 2010-2011 expenditures. In order to implement these budget reductions, the department may realign funds between the civil and forensic component pursuant to chapter 216, Florida Statutes. These mental health treatment facilities shall meet the same performance measures and standards as required by contractual agreement with outsourced civil and forensic mental health treatment facilities. Such performance measures and standards shall be based upon comparable resident populations. The department shall submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives no later than 45 days after the end of each fiscal quarter in Fiscal Year 2011-2012. These reports shall show the expenditure levels for each mental health institution compared with the comparable fiscal quarter in Fiscal Year 2010-2011, and show performance on each performance measure and standard for each mental health institution, both state operated and contracted. The department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than February 28, 2013, with recommendations on institutional mental health services, both state operated and contracted for Fiscal Year 2013-2014.

MOTION

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

Senator Alexander moved the following amendment which was adopted:

Amendment 33 (995075)—

DELETED INSERT
MANAGEMENT SERVICES, DEPARTMENT OF
Workforce Programs
Program: Insurance Benefits
Administration 72750200
In Section 06 On Page 343
2661A Lump Sum 097300
State Employees Health Insurance IOEA
2668 From State Employees Health Insurance Trust Fund 2,001,100,000
CA 2,001,100,000 FSI1 2,001,100,000

INSERT:

From the funds provided in Specific Appropriation 2661A, the Department of Management Services shall operate the State Group Health Insurance Program with a monthly employee contribution of \$50 for individual coverage and \$200 for family coverage.

SENATOR BENNETT PRESIDING

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, SB 2000 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 8:00 p.m.

On motion by Senator Alexander, the Senate resumed consideration of—

SB 2100—A bill to be entitled An act relating to retirement; amending ss. 110.123, 112.0801, 112.363, and 112.65, F.S.; conforming provisions to changes made by the act; amending s. 121.011, F.S.; requiring employee and employer contributions to the retirement system by a certain date; amending s. 121.021, F.S.; redefining the terms “system,” “prior service,” “compensation,” “average final compensation,” “normal retirement date,” “termination,” “benefit,” and “payee”; defining the term “division”; amending s. 121.051, F.S.; conforming provisions to changes made by the act; amending s. 121.0515, F.S.; providing that special risk employee contributions be used, if applicable, when purchasing credit for past service; conforming a cross-reference; amending s. 121.052, F.S., relating to the membership class of elected officers; conforming provisions to changes made by the act; providing for a refund of contributions under certain circumstances for an officer who leaves office; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming a cross-reference; amending s. 121.053, F.S.; conforming provisions to changes made by the act; amending s. 121.055, F.S., relating to the Senior Management Service Class; conforming provisions to changes made by the act; providing for refunds of employee refunds; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; deleting a prohibition against a retiree’s renewing membership in the Senior Management Service Optional Annuity Program; requiring employee and employer contributions for members in the Senior Management Service Optional Annuity Program after a certain date; limiting the payment of benefits before a member’s termination of employment; amending s. 121.071, F.S.; requiring employee and employer contributions to the retirement system beginning on a certain date; limiting the payment of benefits before a member’s termination of employment; requiring repayment plus interest of an invalid refund; amending s. 121.081, F.S.; providing requirements for contributions for prior service performed on or after a certain date; amending s. 121.091, F.S.; conforming a cross-reference; providing for refunds of employee refunds; limiting the payment of benefits before a member’s termination of employment; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; terminating participation in the Deferred Retirement Option Program after a certain date; conforming provisions to changes made by the act; amending s. 121.1001, F.S.; conforming provisions to changes made by the act; amending s. 121.101, F.S.; revising the cost-of-living adjustment depending on the date of retirement; amending s. 121.121, F.S., relating to the purchase of creditable service following an authorized leave of absence; requiring that service credit be purchased at the employee and employer contribution rates in effect during the leave of absence; reducing the interest rate on benefits payable under the Deferred Retirement Option Program for employees hired after a certain date; amending s. 121.122, F.S.; providing for renewed membership in the retirement system for retirees who are reemployed after a certain date; specifying requirements and limitations; amending s. 121.125, F.S.; conforming provisions to changes made by the act; assessing a penalty against employers for contributions not paid after a member becomes eligible for workers’ compensation; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; conforming provisions to changes made by the act; requiring employee and employer contributions for members participating in the optional retirement program after a certain date; deleting certain requirements governing employer contributions to conform to changes made by the act; prohibiting certain benefits before termination from employment; conforming cross-references; amending s. 121.355, F.S.; conforming provisions to changes made by the act; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Florida Retirement System Investment Plan; limiting the option of en-

rolling in the State Retirement System’s defined benefit program or defined contribution program to public employees employed before a certain date; requiring public employees employed on or after a certain date to enroll in the investment plan; providing exceptions; requiring that plan members make contributions to the plan based on the employee’s membership class; revising definitions; revising the benefit commencement age for members of the special risk class; providing for contribution adjustments as a result of errors or corrections; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the pension plan to the investment plan; providing for past employees who reenter the system; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; providing for a retiree to retain his or her prior plan choice following a return to employment; limiting certain refunds of contributions which exceed the amount that would have accrued had the member remained in the pension plan; providing certain requirements and limitations with respect to contributions; clarifying that employee and employer contributions are earmarked for specified purposes; providing duties of the third-party administrator; providing that a member is vested immediately with respect to employee contributions paid by the employee; providing for the forfeiture of nonvested employer contributions and service credit based on years of service; amending s. 121.4502, F.S.; conforming provisions to changes made by the act; amending s. 121.4503, F.S.; providing for the deposit of employee contributions into the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.571, F.S.; conforming provisions to changes made by the act; providing requirements for submitting employee contributions; amending s. 121.591, F.S.; prohibiting the payment of certain benefits before termination of employment; providing for the forfeiture of nonvested accumulations upon payment of certain vested benefits; providing that the distribution payment method selected by the member or beneficiary is irrevocable at the time of distribution; prohibiting a distribution of employee contributions if a qualified domestic relations order is filed against the member’s account; providing for the distribution of an employee’s contributions if the employee dies before being vested; conforming provisions to changes made by the act; amending ss. 121.5911 and 121.70, F.S.; conforming provisions to changes made by the act; amending s. 121.71, F.S.; providing for employee contributions to be deducted from the employee’s monthly salary, beginning on a specified date, and treated as employer contributions under certain provisions of federal law; clarifying that an employee may not receive such contributions directly; specifying the required contribution rate for all members of the Florida Retirement System; specifying the required employer retirement contribution rates for each membership class and subclass of the system in order to address unfunded actuarial liabilities of the system; requiring an assessment to be imposed if the employee contributions remitted are less than the amount required; providing for the employer to receive a credit for excess contributions remitted; conforming cross-references; amending s. 121.72, F.S.; revising certain requirements governing allocations to optional retirement program member accounts; conforming cross-references; amending s. 121.73, F.S., relating to disability coverage for members of the optional retirement program; conforming provisions to changes made by the act; amending ss. 121.74, 121.75, and 121.77, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 121.78, F.S.; revising certain requirements for administering the payment and distribution of contributions; requiring that certain fees be imposed for delinquent payment; providing that an employer is responsible for recovering any refund provided to an employee in error; revising the terms of an authorized waiver of delinquency; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; amending s. 175.121, F.S.; specifying other sources available to pay the expenses of the Department of Revenue for administering firefighters’ pension plans; amending s. 175.341, F.S.; conforming provisions to changes made by the act; amending s. 185.10, F.S.; specifying other sources available to pay the expenses of the department for administering police officers’ pension plans; amending s. 185.23, F.S.; conforming provisions to changes made by the act; amending s. 250.22, F.S.; providing that retirement pay for members of the Florida National Guard is determined on the date of retirement and may not be recomputed to reflect an increase in basic pay; directing the Division of Retirement to annually adjust retirement pay after a certain date; amending s. 1012.875, F.S.; requiring employee and employer contributions for members of the State Community College System Optional Retirement Program on a certain date; conforming cross-references; providing that the act fulfills an important state interest;

providing a directive to the Division of Statutory Revision; requiring the State Board of Administration and the Department of Management Services to request a private letter ruling from the United States Internal Revenue Service regarding the act; providing employers the option of contributing to the retirement account of a reemployed retiree during a specified period; providing an effective date.

—which was previously considered this day.

Senators Ring, Margolis, Rich, Braynon, Sobel, Smith, Siplin, Joyner, Montford, Hill and Sachs offered the following amendments which were moved by Senator Ring and adopted:

Amendment 1 (285682)—Delete lines 459-509 and insert:

4. *Up to 300 hours of overtime payments paid from a salary fund.*

~~(c)(b) Under no circumstances shall~~ Compensation for a member participating in the *pension plan defined benefit retirement program* or the *investment plan Public Employee Optional Retirement Program* of the Florida Retirement System *may not* include:

1. Fees paid professional persons for special or particular services or ~~include~~ salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for eligible clinical faculty at a college in a state university that has a faculty practice plan; or

2. Any bonuses or other payments prohibited from inclusion in the member's average final compensation ~~and defined in subsection (47).~~

(24) "Average final compensation" means the average of the 5 highest fiscal years of compensation for creditable service prior to retirement, termination, or death. For in-line-of-duty disability benefits, if less than 5 years of creditable service have been completed, the term ~~"average final compensation"~~ means the average annual compensation of the total number of years of creditable service. Each year used *to calculate the* ~~in the calculation of~~ average final compensation ~~commences shall commence~~ on July 1.

(a) *Before July 1, 2011:*

1. The average final compensation ~~includes shall include:~~

~~a.1.~~ Accumulated annual leave payments, not to exceed 500 hours; and

~~b.2.~~ All payments defined as compensation *under this section* ~~in subsection (22).~~

~~2.(b)~~ The average final compensation ~~does shall~~ not include:

~~a.1.~~ Compensation paid to professional persons for special or particular services;

~~b.2.~~ Payments for accumulated sick leave made due to retirement or termination;

~~c.3.~~ Payments for accumulated annual leave in excess of 500 hours;

~~d.4.~~ Bonuses ~~as defined in subsection (47);~~

~~e.5.~~ *Third-party* ~~Third-party~~ payments made on and after July 1, 1990; or

~~f.6.~~ Fringe benefits, *such as* ~~(for example,~~ automobile allowances or housing allowances).

(b) *On or after July 1, 2011:*

1. *The average final compensation includes all payments defined as compensation under this section.*

2. *The average final compensation does not include:*

a. Compensation paid to professional persons for special or particular services;

b. Payments for accumulated sick leave made due to retirement or termination;

c. Payments for accumulated annual leave;

d. Payments for overtime exceeding 300 hours paid from a salary fund;

Amendment 2 (778530)—Delete lines 524-542 and insert:

1. The first day of the month the member completes 6 or more years of creditable service in the Special Risk Class and attains age 55;

2. The first day of the month following the date the member completes 25 years of creditable service in the Special Risk Class, regardless of age; or

3. The first day of the month following the date the member completes 25 years of creditable service and attains age 52, which service may include a maximum of 4 years of military service credit as long as such credit is not claimed under any other system and the remaining years are in the Special Risk Class.

Senator Latvala moved the following amendments which were adopted:

Amendment 3 (307084)—Delete line 538 and insert:

a. The first day of the month the member completes 10 or

Amendment 4 (415282) (with directory amendment)—Delete lines 591-607 and insert:

(45)(a) "Vested" or "vesting" means the guarantee that a member is eligible to receive a future retirement benefit upon completion of the required years of creditable service for the employee's class of membership, even though the member may have terminated covered employment before reaching normal or early retirement date. Being vested does not entitle a member to a disability benefit. Provisions governing entitlement to disability benefits are set forth under s. 121.091(4).

~~(a)(b)~~ Effective July 1, 2001, *and for members initially enrolled before July 1, 2011*, a 6-year vesting requirement shall be implemented for the ~~defined benefit program of the~~ Florida Retirement System's *pension plan System. Pursuant thereto:*

1. Any member employed in a regularly established position on July 1, 2001, who completes or has completed a total of 6 years of creditable service ~~is shall be considered vested as described in paragraph (a).~~

2. Any member not employed in a regularly established position on July 1, 2001, shall be deemed vested upon completion of 6 years of creditable service ~~if, provided that~~ such member is employed in a covered position for at least 1 work year after July 1, 2001. However, ~~a~~ ~~no~~ member ~~may not shall~~ be required to complete more years of creditable service than would have been required for that member to vest under retirement laws in effect before July 1, 2001.

(b) Any member initially enrolled on or after July 1, 2011, is vested upon completion of 10 years of creditable service.

And the directory clause is amended as follows:

Delete lines 388 and 389 and insert: (24), (29), (39), (45), (55), and (59) of section 121.021, Florida Statutes,

Senator Latvala moved the following amendment:

Amendment 5 (346354) (with directory amendment)—Delete lines 889-897.

And the directory clause is amended as follows:

Delete lines 616-620 and insert:

Section 7. Paragraphs (b), (c), and (d) of subsection (2) and subsection (3) of section 121.051, Florida Statutes, are

MOTION

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

Senator Latvala moved the following substitute amendment which was adopted:

Amendment 6 (700346)—Delete lines 889-897 and insert:

(e) *All eligible employees initially enrolled on or after July 1, 2011, who are members of the Elected Officers' Class and Senior Management Class are compulsory members of the investment plan and membership in the revision plan is not permitted except as provided in s. 121.591, F.S.*

Senator Latvala moved the following amendment:

Amendment 7 (627362) (with ballot and title amendments)—Delete lines 1858-1863 and insert:

(c) *Benefits payable under DROP.*—

1. Effective on the date of DROP participation, the member's initial normal monthly benefit, including creditable service, optional form of payment, and average final compensation, and the effective date of retirement are fixed. The beneficiary established under the Florida Retirement System is the beneficiary eligible to receive any DROP benefits payable if the DROP participant dies before completing the period of DROP participation. If a joint annuitant predeceases the member, the member may name a beneficiary to receive accumulated DROP benefits payable. The retirement benefit, the annual cost of living adjustments provided in s. 121.101, and interest accrue monthly in the Florida Retirement System Trust Fund.

a. *For members initially enrolled in the system before July 1, 2011, the interest accrues at an effective annual rate of 6.5 percent compounded monthly, on the prior month's accumulated ending balance, up to the month of termination or death, except as provided in s. 121.053(7).*

b. *For members initially enrolled in the system on or after July 1, 2011, the interest accrues at an effective annual rate of 3 percent compounded monthly, on the prior month's accumulated ending balance, up to the month of termination or death, except as provided in s. 121.053(7).*

2. Each employee who elects to participate in DROP may elect to receive a lump-sum payment for accrued annual leave earned in accordance with agency policy upon beginning participation in DROP. The accumulated leave payment certified to the division upon commencement of DROP shall be included in the calculation of the member's average final compensation. The employee electing the lump-sum payment is not eligible to receive a second lump-sum payment upon termination, except to the extent the employee has earned additional annual leave which, combined with the original payment, does not exceed the maximum lump-sum payment allowed by the employing agency's policy or rules. An early lump-sum payment shall be based on the hourly wage of the employee at the time he or she begins participation in DROP. If the member elects to wait and receive a lump-sum payment upon termination of DROP and termination of employment with the employer, any accumulated leave payment made at that time may not be included in the member's retirement benefit, which was determined and fixed by law when the employee elected to participate in DROP.

3. The effective date of DROP participation and the effective date of retirement of a DROP participant shall be the first day of the month selected by the member to begin participation in DROP, provided such date is properly established, with the written confirmation of the employer, and the approval of the division, on forms required by the division.

4. Normal retirement benefits and any interest shall continue to accrue in DROP until the established termination date of DROP or until the member participant terminates employment or dies before prior to such date, except as provided in s. 121.053(7). Although individual DROP accounts may shall not be established, a separate accounting of each member's participant's accrued benefits under DROP shall be calculated and provided to the member participants.

5. At the conclusion of the member's participation in the participant's DROP, the division shall distribute the member's participant's total accumulated DROP benefits, subject to the following:

a. The division shall receive verification by the member's participant's employer or employers that the member participant has terminated all employment relationships as provided in s. 121.021(39).

b. The terminated DROP participant or, if deceased, the member's participant's named beneficiary, shall elect on forms provided by the division to receive payment of the DROP benefits in accordance with one of the options listed below. If a member participant or beneficiary fails to elect a method of payment within 60 days after termination of DROP, the division shall pay a lump sum as provided in sub-sub-paragraph (I).

(I) Lump sum.—All accrued DROP benefits, plus interest, less withholding taxes remitted to the Internal Revenue Service, shall be paid to the DROP participant or surviving beneficiary.

(II) Direct rollover.—All accrued DROP benefits, plus interest, shall be paid from DROP directly to the custodian of an eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code. However, in the case of an eligible rollover distribution to the surviving spouse of a deceased member participant, an eligible retirement plan is an individual retirement account or an individual retirement annuity as described in s. 402(c)(9) of the Internal Revenue Code.

(III) Partial lump sum.—A portion of the accrued DROP benefits shall be paid to DROP participant or surviving spouse, less withholding taxes remitted to the Internal Revenue Service, and the remaining DROP benefits must be transferred directly to the custodian of an eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code. However, in the case of an eligible rollover distribution to the surviving spouse of a deceased member participant, an eligible retirement plan is an individual retirement account or an individual retirement annuity as described in s. 402(c)(9) of the Internal Revenue Code. The proportions must be specified by the DROP participant or surviving beneficiary.

c. The form of payment selected by the DROP participant or surviving beneficiary must comply with the minimum distribution requirements of the Internal Revenue Code.

d. A DROP participant who fails to terminate all employment relationships as provided in s. 121.021(39) shall be deemed as not retired, and the DROP election is null and void. Florida Retirement System membership shall be reestablished retroactively to the date of the commencement of DROP, and each employer with whom the member participant continues employment must pay to the Florida Retirement System Trust Fund the difference between the DROP contributions paid in paragraph (i) and the contributions required for the applicable Florida Retirement System class of membership during the period the member participated in DROP, plus 6.5 percent interest compounded annually.

6. The retirement benefits of any DROP participant who terminates all employment relationships as provided in s. 121.021(39) but is re-employed in violation of the reemployment provisions of subsection (9) are shall be suspended during those months in which the retiree is in violation. Any retiree in violation of this subparagraph and any employer that employs or appoints such person without notifying the division of Retirement to suspend retirement benefits are jointly and severally liable for any benefits paid during the reemployment limitation period. The employer must have a written statement from the retiree that he or she is not retired from a state-administered retirement system. Any retirement benefits received by a retiree while employed in violation of the reemployment limitations must be repaid to the Florida Retirement System Trust Fund, and his or her retirement benefits shall remain suspended until payment is made. Benefits suspended beyond the end of the reemployment limitation period apply toward repayment of benefits received in violation of the reemployment limitation.

7. The accrued benefits of any DROP participant, and any contributions accumulated under the program, are not subject to assignment, execution, attachment, or any legal process whatsoever, except for qualified domestic relations court orders by a court of competent jurisdiction, income deduction orders as provided in s. 61.1301, and federal income tax levies.

8. DROP participants are not eligible for disability retirement benefits as provided in subsection (4).

And the ballot statement is amended as follows:

Delete lines 1622-1625 and insert: paragraph (d) of subsection (9), paragraphs (a) and (c) of subsection (13), and paragraph (d) of subsection (14) of section 121.091, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete lines 59 and 60 and insert: revising the interest rate accruing on DROP benefits after a certain date; conforming

MOTION

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

Senator Latvala moved the following substitute amendment which was adopted:

Amendment 8 (172938) (with directory and title amendments)—Delete lines 1858-1863 and insert:

(c) *Benefits payable under DROP.*—

1. Effective on the date of DROP participation, the member's initial normal monthly benefit, including creditable service, optional form of payment, and average final compensation, and the effective date of retirement are fixed. The beneficiary established under the Florida Retirement System is the beneficiary eligible to receive any DROP benefits payable if the DROP participant dies before completing the period of DROP participation. If a joint annuitant predeceases the member, the member may name a beneficiary to receive accumulated DROP benefits payable. The retirement benefit, the annual cost of living adjustments provided in s. 121.101, and interest accrue monthly in the Florida Retirement System Trust Fund.

a. *For members initially enrolled in the system before July 1, 2011, the interest accrues at an effective annual rate of 6.5 percent compounded monthly, on the prior month's accumulated ending balance, up to the month of termination or death, except as provided in s. 121.053(7).*

b. *For members initially enrolled in the system on or after July 1, 2011, the interest accrues at an effective annual rate of 2 percent compounded monthly, on the prior month's accumulated ending balance, up to the month of termination or death, except as provided in s. 121.053(7).*

2. Each employee who elects to participate in DROP may elect to receive a lump-sum payment for accrued annual leave earned in accordance with agency policy upon beginning participation in DROP. The accumulated leave payment certified to the division upon commencement of DROP shall be included in the calculation of the member's average final compensation. The employee electing the lump-sum payment is not eligible to receive a second lump-sum payment upon termination, except to the extent the employee has earned additional annual leave which, combined with the original payment, does not exceed the maximum lump-sum payment allowed by the employing agency's policy or rules. An early lump-sum payment shall be based on the hourly wage of the employee at the time he or she begins participation in DROP. If the member elects to wait and receive a lump-sum payment upon termination of DROP and termination of employment with the employer, any accumulated leave payment made at that time may not be included in the member's retirement benefit, which was determined and fixed by law when the employee elected to participate in DROP.

3. The effective date of DROP participation and the effective date of retirement of a DROP participant shall be the first day of the month selected by the member to begin participation in DROP, provided such date is properly established, with the written confirmation of the employer, and the approval of the division, on forms required by the division.

4. Normal retirement benefits and any interest shall continue to accrue in DROP until the established termination date of DROP or until the member participant terminates employment or dies before prior to such date, except as provided in s. 121.053(7). Although individual DROP accounts may shall not be established, a separate accounting of each member's participant's accrued benefits under DROP shall be calculated and provided to the member participants.

5. At the conclusion of the member's participation in the participant's DROP, the division shall distribute the member's participant's total accumulated DROP benefits, subject to the following:

a. The division shall receive verification by the member's participant's employer or employers that the member participant has terminated all employment relationships as provided in s. 121.021(39).

b. The terminated DROP participant or, if deceased, the member's participant's named beneficiary, shall elect on forms provided by the division to receive payment of the DROP benefits in accordance with one of the options listed below. If a member participant or beneficiary fails to elect a method of payment within 60 days after termination of DROP, the division shall pay a lump sum as provided in sub-sub-subparagraph (I).

(I) Lump sum.—All accrued DROP benefits, plus interest, less withholding taxes remitted to the Internal Revenue Service, shall be paid to the DROP participant or surviving beneficiary.

(II) Direct rollover.—All accrued DROP benefits, plus interest, shall be paid from DROP directly to the custodian of an eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code. However, in the case of an eligible rollover distribution to the surviving spouse of a deceased member participant, an eligible retirement plan is an individual retirement account or an individual retirement annuity as described in s. 402(c)(9) of the Internal Revenue Code.

(III) Partial lump sum.—A portion of the accrued DROP benefits shall be paid to DROP participant or surviving spouse, less withholding taxes remitted to the Internal Revenue Service, and the remaining DROP benefits must be transferred directly to the custodian of an eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code. However, in the case of an eligible rollover distribution to the surviving spouse of a deceased member participant, an eligible retirement plan is an individual retirement account or an individual retirement annuity as described in s. 402(c)(9) of the Internal Revenue Code. The proportions must be specified by the DROP participant or surviving beneficiary.

c. The form of payment selected by the DROP participant or surviving beneficiary must comply with the minimum distribution requirements of the Internal Revenue Code.

d. A DROP participant who fails to terminate all employment relationships as provided in s. 121.021(39) shall be deemed as not retired, and the DROP election is null and void. Florida Retirement System membership shall be reestablished retroactively to the date of the commencement of DROP, and each employer with whom the member participant continues employment must pay to the Florida Retirement System Trust Fund the difference between the DROP contributions paid in paragraph (i) and the contributions required for the applicable Florida Retirement System class of membership during the period the member participated in DROP, plus 6.5 percent interest compounded annually.

6. The retirement benefits of any DROP participant who terminates all employment relationships as provided in s. 121.021(39) but is re-employed in violation of the reemployment provisions of subsection (9) are shall be suspended during those months in which the retiree is in violation. Any retiree in violation of this subparagraph and any employer that employs or appoints such person without notifying the division of Retirement to suspend retirement benefits are jointly and severally liable for any benefits paid during the reemployment limitation period. The employer must have a written statement from the retiree that he or she is not retired from a state-administered retirement system. Any retirement benefits received by a retiree while employed in violation of the reemployment limitations must be repaid to the Florida Retirement System Trust Fund, and his or her retirement benefits shall remain suspended until payment is made. Benefits suspended beyond the end of the reemployment limitation period apply toward repayment of benefits received in violation of the reemployment limitation.

7. The accrued benefits of any DROP participant, and any contributions accumulated under the program, are not subject to assignment, execution, attachment, or any legal process whatsoever, except for qualified domestic relations court orders by a court of competent jurisdiction, income deduction orders as provided in s. 61.1301, and federal income tax levies.

8. DROP participants are not eligible for disability retirement benefits as provided in subsection (4).

And the directory clause statement is amended as follows:

Delete lines 1622-1625 and insert: paragraph (d) of subsection (9), paragraphs (a) and (c) of subsection (13), and paragraph (d) of subsection (14) of section 121.091, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete lines 59 and 60 and insert: revising the interest rate accruing on DROP benefits after a certain date; conforming

Senators Ring, Margolis, Rich, Braynon, Sobel, Smith, Siplin, Joyner, Montford, Hill, Sachs and Detert offered the following amendment which was moved by Senator Ring and adopted:

Amendment 9 (698880)—Delete lines 1859-1861 and insert: 1, 2016.

(l) *Closure of program to new participants.—Effective July 1, 2016, DROP is closed to new participants. Only members whose*

Senators Latvala, Ring, Jones, Rich, Detert, Hill, Garcia, Montford, Norman, Braynon, Altman, Joyner, Dockery, Sachs, Dean, Smith, Evers, Sobel, Fasano and Margolis offered the following amendment which was moved by Senator Latvala:

Amendment 10 (904710) (with title amendment)—Delete line 2464 and insert: *plan. Enrollment is compulsory for members of the Elected Officers' Class and the Senior Management Class, and for a member of any class for which the starting salary of the position in which the member is employed is in excess of \$75,000, who are*

And the title is amended as follows:

Delete line 97 and insert: requiring certain public employees employed on or after a

MOTION

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

Senator Latvala moved the following substitute amendment which was adopted:

Amendment 11 (732796) (with title amendment)—Delete line 2464 and insert: *plan. Enrollment is compulsory for members of the Elected Officers' Class and the Senior Management Class, who are*

And the title is amended as follows:

Delete line 97 and insert: requiring certain public employees employed on or after a

Senator Latvala moved the following amendment which was adopted:

Amendment 12 (702780)—Delete lines 3074-3082.

Senators Dean, Hill, Montford, Joyner, Siplin, Smith, Sachs, Sobel, Ring, Braynon, Rich and Margolis offered the following amendment which was moved by Senator Dean:

Amendment 13 (261736)—Delete lines 4557-4560 and insert:

(3) *Effective July 1, 2011, the required employee retirement contribution rates for all members of the Florida Retirement System shall be 1 percent for gross compensation up to and including \$25,000, 2 percent for gross compensation greater than \$25,000 and up to and including \$50,000, and 4 percent for gross compensation greater than \$50,000.*

SENATOR BENNETT PRESIDING

MOTION

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

Senator Dean moved the following substitute amendment which was adopted:

Amendment 14 (937796)—Delete lines 4557-4560 and insert:

(3) *Effective July 1, 2011, the required employee retirement contribution rates for all members of the Florida Retirement System shall be 2 percent for gross compensation up to and including \$25,000, 4 percent for gross compensation greater than \$25,000 and up to and including \$50,000, and 6 percent for gross compensation greater than \$50,000.*

THE PRESIDENT PRESIDING

Senator Fasano moved the following amendment which was adopted:

Amendment 15 (946802) (with title amendment)—Delete lines 5020-5026.

And the title is amended as follows:

Delete lines 204-206 and insert: regarding the act; providing an

MOTION

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

Senator Gaetz moved the following amendment:

Amendment 16 (883374)—Delete lines 4557-4560 and insert:

(3) *Effective July 1, 2011, the required employee retirement contribution rates for all members, except members of the Elected Officers' Class, of the Florida Retirement System for both the pension and investment plans is 3 percent of gross compensation. The required employee retirement contribution rate for all members of the Elected Officers' Class for both the pension and investment plans is 4 percent of gross compensation.*

MOTION

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

Senator Gaetz moved the following substitute amendment:

Amendment 17 (850572)—Delete lines 4557-4560 and insert:

(3) *Effective July 1, 2011, the required employee retirement contribution rates for all members of the Elected Officers' Class for both the pension and investment plans is 7 percent of gross compensation.*

On motion by Senator Gaetz, further consideration of **Amendment 16** and substitute **Amendment 17** was deferred.

MOTION

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

Senators Fasano and Gaetz offered the following amendments which were moved by Senator Fasano and adopted:

Amendment 18 (561880) (with title amendment)—Delete lines 2015-2066 and insert:

(2) A retiree of a state-administered retirement system who is initially reemployed on or after July 1, 2010, through June 30, 2011, shall become a member of the Regular Class and be enrolled in the Florida Retirement System Investment Plan on July 1, 2011, and must resatisfy the vesting requirements and other provisions provided in this chapter ~~is not eligible for renewed membership~~. This subsection does not apply to retirees from the Elected Officers' Class or the Senior Management Service Class.

(a) *Creditable service, including credit towards the retiree health insurance subsidy provided in s. 112.363, does not accrue for a retiree's*

employment in a regularly established position with a covered employer during the period from July 1, 2010, through June 30, 2011.

(b) Employer contributions, interest, earnings, or any other funds may not be paid into a renewed member's investment plan account for any employment in a regularly established position with a covered employer during the period from July 1, 2010, through June 30, 2011.

(c) To be eligible to receive a retirement benefit under the investment plan, the renewed member must meet the vesting requirements of the plan as provided in s. 121.4501(6).

(d) The member is not entitled to disability benefits as provided in s. 121.091(4) or s. 121.591(2).

(e) The member must meet the limitations on reemployment after retirement as provided in s. 121.091(9), as applicable.

(f) Upon the renewed membership or reemployment of a retiree, the employer of such member and the retiree shall pay the applicable employer and employee contributions as required by ss. 112.363, 121.71, 121.74, and 121.76. Such contributions are payable only for employment in a regularly established position with a covered employer on or after July 1, 2011.

(g) The member may not purchase any prior or past service in the investment plan, including employment in a regularly established position with a covered employer during the period from July 1, 2010, through June 30, 2011.

(h) A renewed member who is not receiving the maximum health insurance subsidy provided in s. 112.363 is entitled to earn additional credit toward the subsidy. Such credit may be earned only for employment in a regularly established position with a covered employer on or after July 1, 2011. Any additional subsidy due because of additional credit may be received only at the time of paying the second career retirement benefit. The total health insurance subsidy received by a retiree receiving benefits from initial and renewed membership may not exceed the maximum allowed under s. 112.363.

(3) Any retiree of a state-administered retirement system who is initially reemployed on or after July 1, 2011, except for retirees from the Elected Officers' Class or the Senior Management Service Class, shall become a member of the Regular Class and be enrolled in the Florida Retirement System Investment Plan, and must resatisfy the vesting requirements and other provisions of this chapter. Retirees from the Elected Officers' Class or the Senior Management Service Class may not be enrolled in a state-administered retirement system.

And the title is amended as follows:

Delete line 75 and insert: date; excluding retirees of the Elected Officers' Class or the Senior Management Service Class; specifying requirements and limitations;

Amendment 19 (896732) (with title amendment)—Delete lines 1301-1304 and insert:

6. A retiree of a state-administered retirement system who is initially reemployed on or after July 1, 2010, may not renew membership in the Senior Management Service Optional Annuity Program.

And the title is amended as follows:

Delete lines 36-38 and insert: requiring employee and employer

MOTION

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

Senator Norman moved the following amendment which failed:

Amendment 20 (210260) (with title amendment)—Delete lines 4557-4560 and insert:

(3) Effective December 31, 2013, the required employee retirement contribution rates for all members of the Florida Retirement System for both the pension and investment plans is 3 percent of gross compensation.

However, employee retirement contributions are not required if the Florida Retirement System reaches or exceeds 100 percent of actuarial funding.

And the title is amended as follows:

Between lines 152 and 153 insert: providing that employee contributions are not required if the Florida Retirement System reaches a certain level of funding;

The Senate resumed consideration of pending substitute **Amendment 17** and pending **Amendment 16** which were withdrawn.

Senator Ring moved the following amendment which was adopted:

Amendment 21 (382540) (with title amendment)—Delete lines 4536-4560 and insert: change. *Beginning July 1, 2011, each employee, except those participating in the Deferred Retirement Option Program shall contribute the contributions required in subsection (3) to the plan. The employer shall deduct the contribution from the employee's monthly salary and submit it to the division. The contributions shall be reported as employer-paid employee contributions, and shall be credited to the account of the employee. The contributions shall be deducted from the employee's salary before the computation of applicable federal taxes and treated as employer contributions under 26 U.S.C. 414(h)(2). Although designated as employee contributions, the employer specifies that the contributions are being paid by the employer in lieu of contributions by the employee. The employee does not have the option of choosing to receive the contributed amounts directly instead of having them paid to the plan. Such contributions are mandatory and each employee is deemed to have consented to the payroll deductions. Payment of an employee's salary or wages, less the contribution, is a full and complete discharge and satisfaction of all claims and demands for the service rendered by employees during the period covered by the payment, except for claims to benefits to which they may be entitled under this chapter.*

(3) Effective July 1, 2011, the required employee retirement contribution rates for all members of the Florida Retirement System for both the pension and investment plans is 3 percent of gross compensation. This subsection does not apply to members participating in the Deferred Retirement Option Program.

And the title is amended as follows:

Delete line 152 and insert: for all members of the Florida Retirement System; providing an exception for participants in the Deferred Retirement Option Program;

Pursuant to Rule 4.19, **SB 2100** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander—

SB 2002—A bill to be entitled An act implementing the 2011-2012 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2011-2012 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds between appropriation categories to fund fixed capital outlay projects for public schools upon certain approval; amending s. 394.908, F.S.; providing allocation requirements for specified funds appropriated for forensic mental health services; providing requirements relating to implementing phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; requiring certain budget amendments recommending the release of funds to provide more notice and be subject to certain objection procedures; prohibiting an appropriation to pay for the lease of unneeded space due to reductions at the Department of Children and Family Services; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under the authority of the respective entity; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; amending s. 945.025, F.S.; requiring the Department of Corrections to obtain certain approval before closing any correctional institution; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; authorizing the Department of Legal Affairs to spend certain appropriated funds on

programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring that the Department of Juvenile Justice comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 44.108, F.S.; authorizing use of moneys in the Mediation and Arbitration Trust Fund as specified in the General Appropriations Act; relieving the state court system of certain loan repayment obligations; authorizing the chief justice to request a loan under certain circumstances; creating the Judicial Caseload Incentive Plan; providing the purpose, performance goals, and financial awards of the program; requiring a report to the Legislature; amending s. 282.709, F.S.; allowing funds from the State Agency Law Enforcement Radio System Trust Fund to be used for mutual aid buildout maintenance and sustainment; requiring the Department of Management Services to issue a competitive solicitation for the Statewide Law Enforcement Radio System by a certain date and award the contract by a certain date; requiring the Florida Catastrophic Storm Risk Management Center at Florida State University to conduct an analysis using certain data; amending s. 253.034, F.S.; authorizing the deposit of funds derived from the sale of property by the Department of Citrus into the Citrus Advertising Trust Fund; amending s. 373.59, F.S.; providing for the allocation of moneys from the Water Management Lands Trust Fund for certain purposes; amending s. 403.7095, F.S.; requiring that the Department of Environmental Protection award a specified amount in grants to certain counties for solid waste programs; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; providing that the disposition of state-owned lands is exempt from appraisal requirements and disposition requirements under certain circumstances; requiring state agencies to provide a list of lands that are immediately available for lease or are surplus lands; requiring that the proceeds from the sale of such lands be deposited into the Florida Forever Trust Fund; authorizing the transfer of funds and positions to implement the transfer of certain agencies and offices; amending s. 339.08, F.S.; delaying the expiration of provisions relating to the use of moneys in the State Transportation Trust Fund for certain administrative expenses; authorizing funds in the State Transportation Trust Fund to be used for the County Incentive Grant Program, the Small County Outreach Program, the Transportation Regional Incentive Program, and certain transportation project contracts; providing for all vehicles within the Office of Motor Carrier Compliance to be transferred to the Department of Highway Safety and Motor Vehicles without the payment of certain fees; amending s. 445.009, F.S.; providing that a participant in an adult or youth work experience activity under ch. 445, F.S., is an employee of the state for purposes of workers' compensation coverage; creating the Florida Base Realignment and Closure Task Force; specifying the mission of the task force; providing for membership; requiring a progress report and work plan; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S.; providing that the state contribution toward the cost of a plan is the difference between the overall premium and the employee contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; providing that the annual salary of the members of the Legislature be reduced by a specified percentage; reenacting and amending s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2011-2012 General Appropriations Act; reenacting and amending s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing for the authorization and issuance of new debt; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing agencies scheduled for data center consolidation to accelerate such consolidation; authorizing the establishment of data center positions in exchange for agency positions placed in reserve; authoring an agency to transfer funds in order to support its e-mail system until its system is transferred to the statewide service vendor; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; authorizing the Executive Office of the Governor

to transfer appropriations into categories for the purpose of tracking American Recovery and Reinvestment Act funds; amending s. 216.292, F.S.; authorizing the Executive Office of the Governor to recommend the initiation of fixed capital outlay projects funded through the American Recovery and Reinvestment Act of 2009; reenacting s. 110.12315(7)(a), F.S., relating to copayments for the state employees' prescription drug program; directing the Department of Management Services to use a tenant broker to renegotiate all leases involving multiple state agency tenants; requiring a report to the Legislative Budget Commission; requiring the department to renegotiate certain leases in order to achieve a reduction in cost and provide a report to the Governor and Legislature on such activities by a certain date; requiring the department to issue a solicitation for the Minnesota Multistate Contracting Alliance for Pharmacy agreement as a state term contract; requiring the department to use generic drugs where feasible in developing its preferred drug list; requiring the Agency for Health Care Administration to reprocur the Florida Discount Drug Card Program; providing requirements for the program; providing that revenues derived from the contract be deposited into the agency's Grants and Donations Trust Fund; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for reversion of statutory text of certain provisions; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

—was read the second time by title.

MOTION

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

Senator Altman moved the following amendment which was adopted:

Amendment 1 (867852) (with title amendment)—Between lines 977 and 978 insert:

Section 51. Subsection (4) is added to section 216.212, Florida Statutes, to read:

216.212 Budgets for federal funds; restrictions on expenditure of federal funds.—

(4)(a) If a state agency or the judicial branch has qualified or can qualify to receive federal funds in excess of \$1 million without committing the state to make expenditures or implement policies that are inconsistent with state law, the agency or branch shall pursue receipt of such funds until the agency or branch:

1. Provides notice, subject to the notice and review requirements in s. 216.177, that it intends to take an action or refrain from taking an action that will result in such funds not being received by the state; and

2. Presents its decision and the rationale for such decision to the Legislative Budget Commission in accordance with s. 216.065.

(b) Notwithstanding s. 216.195, if an agency or branch fails to provide notice and present its decision to the commission pursuant to paragraph (a), the Executive Office of the Governor or the Chief Justice of the Supreme Court, subject to the notice and review requirements in s. 216.177, shall place an amount of approved budget equal to the amount of federal funds involved into mandatory reserve for the remainder of the fiscal year.

And the title is amended as follows:

Delete line 144 and insert: American Recovery and Reinvestment Act of 2009; amending s. 216.212, F.S.; requiring a state agency or the judicial branch to pursue federal funds and notify the Legislative Budget Commission of any decision regarding the receipt of such funds; providing that failure to provide such notice will result in the placement of an equal amount of the agency's or judicial branch's budget into mandatory reserve for the remainder of the fiscal year;

MOTION

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

Senator Rich moved the following amendment which was adopted:

Amendment 2 (251534) (with title amendment)—Between lines 1060 and 1061 insert:

Section 56. *Effective July 1, 2011, and notwithstanding s. 409.814(4)(a), Florida Statutes, a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state is eligible to participate in and receive Title XXI-funded coverage from the Florida Kidcare program if the child is otherwise eligible.*

Section 57. Subsection (4) of section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening. If, subsequently, an individual is determined to be ineligible for coverage, he or she must immediately be disenrolled from the respective Florida Kidcare program component.

(4) The following children are not eligible to receive Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

~~(a) A child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state.~~

~~(a)(b)~~ A child who is covered under a family member's group health benefit plan or under other private or employer health insurance coverage, if the cost of the child's participation is not greater than 5 percent of the family's income. If a child is otherwise eligible for a subsidy under the Florida Kidcare program and the cost of the child's participation in the family member's health insurance benefit plan is greater than 5 percent of the family's income, the child may enroll in the appropriate subsidized Kidcare program.

~~(b)(e)~~ A child who is seeking premium assistance for the Florida Kidcare program through employer-sponsored group coverage, if the child has been covered by the same employer's group coverage during the 60 days prior to the family's submitting an application for determination of eligibility under the program.

~~(c)(d)~~ A child who is an alien, but who does not meet the definition of qualified alien, in the United States.

~~(d)(e)~~ A child who is an inmate of a public institution or a patient in an institution for mental diseases.

~~(e)(f)~~ A child who is otherwise eligible for premium assistance for the Florida Kidcare program and has had his or her coverage in an employer-sponsored or private health benefit plan voluntarily canceled in the last 60 days, except those children whose coverage was voluntarily canceled for good cause, including, but not limited to, the following circumstances:

1. The cost of participation in an employer-sponsored health benefit plan is greater than 5 percent of the family's income;
2. The parent lost a job that provided an employer-sponsored health benefit plan for children;
3. The parent who had health benefits coverage for the child is deceased;
4. The child has a medical condition that, without medical care, would cause serious disability, loss of function, or death;
5. The employer of the parent canceled health benefits coverage for children;
6. The child's health benefits coverage ended because the child reached the maximum lifetime coverage amount;

7. The child has exhausted coverage under a COBRA continuation provision;

8. The health benefits coverage does not cover the child's health care needs; or

9. Domestic violence led to loss of coverage.

And the title is amended as follows:

Delete line 164 and insert: Donations Trust Fund; providing that a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state is eligible to participate in and receive Title XXI-funded coverage from the Florida Kidcare program if the child is otherwise eligible; amending s. 409.814, F.S.; deleting a provision that prohibits a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state from receiving Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program; providing for the effect of a

Pursuant to Rule 4.19, **SB 2002** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Thrasher, the Special Order Calendar Group scheduled to meet this day from 5:30 p.m. until 6:00 p.m. was cancelled.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **SB 352** was withdrawn from the Committees on Criminal Justice; Judiciary; and Budget and referred to the Committee on Budget; **CS for SJR 1538** was withdrawn from the Committee on Budget and referred to the Committee on Rules; and **SJR 2084** was withdrawn from the Committees on Budget; and Rules and referred to the Committee on Budget.

On motion by Senator Detert, by two-thirds vote **SB 1296** was withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Thrasher, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Thursday, April 7, except for **SB 2100**.

On motion by Senator Thrasher, the rules were waived and a deadline of 9:00 a.m. Thursday, April 7 was set for filing amendments to **SB 2100** to be considered on Bills on Third Reading that day.

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 Wednesday, April 6, 2011: SB 2000, SB 2002, SB 2120, SB 2150, SB 2114, SB 2116, SB 2118, SB 2112, SB 2144, SB 2146, SB 2148, SB 2122, SB 2124, SB 2126, SB 2128, SB 2130, SB 2132, SB 2134, SB 2136, SB 2142, SB 2152, SB 2154, SB 2156, SB 2160, SB 2162, SB 2094, CS for SB 1738, SB 2096, SB 2098, SB 2100, SB 2102, CS for CS for SB 1292, SB 2104, SB 2106, SB 2108, SB 2110, CS for CS for SB 1314.

Respectfully submitted,
John Thrasher, Chair

Pursuant to Rule 4.17(4) the Chair of the Committee on Rules submits the following bills to be placed on the Consent Calendar for Wednesday, April 6, 2011: SM 954, SB 464, CS for SB 138, CS for SB 400, SB 240, CS for SB 782, CS for CS for SB 244, SB 330, SB 634, SB 636, SB 638, CS for CS for SB 170, SB 1100, CS for SB 382, SB 462, CS for SB 312, CS for SB 968, CS for SB 960, CS for SB 650, SB 1142, SB 702, CS for SB 246.

Respectfully submitted,
John Thrasher, Chair

The Committee on Education Pre-K - 12 recommends the following pass: SB 1584; SB 1620

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 996

The Committee on Rules recommends the following pass: CS for SB 378

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

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 898

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Military Affairs, Space, and Domestic Security recommends the following pass: SB 2092

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

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 704

The bill was referred to the Committee on Rules under the original reference.

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for CS for SB 930

The bill was placed on the Calendar.

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 976; SB 1548

The Committee on Health Regulation recommends committee substitutes for the following: CS for SB 1366; SB 1454; SB 1744

The Committee on Higher Education recommends committee substitutes for the following: SB 260; SB 430; SB 720; CS for SB 1546; SB 1732

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 1206

The Committee on Transportation recommends a committee substitute for the following: CS for SB 1824

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Budget under the original reference.

The Committee on Health Regulation recommends a committee substitute for the following: SB 1458

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 2040

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

The Committee on Transportation recommends a committee substitute for the following: SB 1912

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

The Committee on Commerce and Tourism recommends committee substitutes for the following: SB 994; SB 2050

The Committee on Community Affairs recommends a committee substitute for the following: SB 1962

The Committee on Higher Education recommends a committee substitute for the following: CS for SB 952

The Committee on Military Affairs, Space, and Domestic Security recommends a committee substitute for the following: SB 1574

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1878

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

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 1626

The Committee on Higher Education recommends a committee substitute for the following: SM 1654

The bills with committee substitute attached were placed on the Calendar.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

SR 2164—Not referenced.

SR 2166—Previously referenced.

By the Committee on Health Regulation—

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 referred to the Committee on Health Regulation.

By the Committee on Judiciary—

SB 2170—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.291, F.S.; providing for the Attorney General, rather than the Board of Governors of The Florida Bar, to submit nominees for certain positions on judicial nominating commissions; providing for the termination of terms of all current members of judicial nominating commissions; providing for staggered terms of newly appointed members; providing an effective date.

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

By the Committee on Education Pre-K - 12—

SB 2172—A bill to be entitled An act relating to district school board members; amending ss. 145.19 and 1001.39, F.S.; conforming cross-references; amending s. 1001.395, F.S.; removing provisions relating to base salary and additional compensation for a district school board member; prohibiting district school board members from receiving more than a \$100 stipend per school board meeting; capping the annual stipend; providing that the stipend does not constitute compensation for retirement purposes; providing reimbursement for travel expenses; prohibiting district school board members from receiving any compensation while serving; providing for application; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Higher Education; and Senator Ring—

CS for SB 260—A bill to be entitled An act relating to nonpublic postsecondary educational institutions; amending s. 1005.02, F.S.; defining the term “academic degree”; amending s. 1005.04, F.S.; requiring disclosure of institution accreditation status to prospective students; providing restrictions relating to advertising by licensed institutions; requiring that institutions that do not have certain accreditation provide written disclosure; providing a form for such disclosure; amending s. 1005.31, F.S.; requiring that a licensed independent postsecondary educational institution notify the Commission for Independent Education of changes in its accreditation status; revising criteria concerning the standards by which the commission evaluates institutions for licensure; requiring the licensure of certain institutions offering postsecondary education through correspondence or distance learning courses; requiring that the commission maintain lists on its website concerning the accreditation of institutions licensed by the commission; amending s. 744.1083, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Higher Education; and Senator Altman—

CS for SB 430—A bill to be entitled An act relating to veterans’ affairs; amending s. 1.01, F.S.; expanding the definition of the term “veteran” for purposes of construction of the Florida Statutes; amending s. 295.0185, F.S.; providing educational opportunity at state expense for dependent children of military personnel who die or suffer certain disability in specified military operations; providing an effective date.

By the Committee on Higher Education; and Senator Gaetz—

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.

By the Committees on Higher Education; and Commerce and Tourism; and Senators Richter and Gaetz—

CS for CS for SB 952—A bill to be entitled An act relating to uniform prudent management of institutional funds; creating s. 617.2104, F.S.; creating a short title; providing definitions; providing requirements for the management of funds held by an institution exclusively for charitable purposes; providing standards of conduct in managing and investing institutional funds; providing requirements for appropriation for expenditure or accumulation of an endowment fund by an institution; authorizing an institution to delegate to an external agent the management and investment of an institutional fund; authorizing the release or modification of a restriction on management, investment, or purpose of an institutional fund; providing for determination of compliance; providing for application to existing or newly established institutional funds; providing relationship to federal law; providing requirements for uniformity of application and construction of the act; repealing s. 1010.10, F.S., relating to the Florida Uniform Management of Institutional Funds Act; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Bogdanoff—

CS for SB 976—A bill to be entitled An act relating to capital formation for infrastructure projects; amending ss. 288.9621, 288.9622, and 288.9623, F.S.; conforming a short title, revising legislative findings and intent, and providing definitions for the Florida Capital Formation Act; conforming cross-references; creating s. 288.9627, F.S.; providing for creation of the Florida Infrastructure Fund Partnership; providing the partnership’s purpose and duties; providing for management of the partnership by the Florida Opportunity Fund; authorizing the fund to lend moneys to the partnership; requiring the partnership to raise funds from investment partners; providing for commitment agreements with and issuance of certificates to investment partners; authorizing the partnership to invest in certain infrastructure projects; requiring the partnership to submit an annual report to the Governor and Legislature; prohibiting the partnership from pledging the credit or taxing power of the state or its political subdivisions; prohibiting the partnership from investing in projects with or accepting investments from certain companies; creating s. 288.9628, F.S.; creating the Florida Infrastructure Investment Trust; providing for powers and duties, a board of trustees,

and an administrative officer of the trust; providing for the trust's issuance of certificates to investment partners; specifying that the certificates guarantee the availability of tax credits under certain conditions; authorizing the trust and the fund to charge fees; limiting the amount of tax credits that may be claimed or applied against state taxes in any year; providing for the redemption of certificates or sale of tax credits; providing for the issuance of the tax credits by the Department of Revenue; specifying the taxes against which the credits may be applied; limiting the period within which tax credits may be used; providing for the state's obligation for use of the tax credits; limiting the liability of the fund; providing for the transferability of certificates and tax credits; requiring the department to provide a certain written assurance to the trust under certain circumstances; specifying that certain provisions regulating securities transactions do not apply to certificates and tax credits transferred or sold under the act; amending s. 213.053, F.S.; authorizing the department to disclose certain information to the partnership and the trust relative to certain tax credits; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Latvala—

CS for SB 994—A bill to be entitled An act relating to public records; creating s. 332.16, F.S.; providing definitions; providing an exemption from public-records requirements for proprietary confidential business information and trade secrets held by a public airport and for any proposal or counterproposal exchanged between a public airport and a nongovernmental entity relating to the sale, use, development, or lease of airport facilities; providing for expiration of the exemptions; providing for future legislative review and repeal of the exemptions under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

By the Committees on Judiciary; and Criminal Justice; and Senators Negron and Joyner—

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.

By the Committees on Health Regulation; and Children, Families, and Elder Affairs; and Senator Storms—

CS for CS for SB 1366—A bill to be entitled An act relating to administrative monitoring of providers of child welfare services, mental health services, and substance abuse services; amending s. 402.7306, F.S.; defining the term “mental health and substance abuse service provider” as it relates to the monitoring of providers of child welfare services, mental health services, and substance abuse services; requiring the Department of Children and Family Services, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, community-based care lead agencies, managing entities, and agencies that have contracted with monitoring agents to adopt certain revised policies for the administrative monitoring of child welfare service providers, mental health service providers, and substance abuse service providers; conforming provisions to changes made by the act; limiting the frequency of required administrative, licensure, and programmatic monitoring for mental health service providers and substance abuse service providers that are accredited by specified entities; providing certain exception to the limitations on monitoring; requiring that the corporate, fiscal, and administrative records of mental health service providers and substance abuse service providers be included in a consolidated data warehouse and archive; providing an effective date.

By the Committee on Health Regulation; and Senator Garcia—

CS for SB 1454—A bill to be entitled An act relating to surrendered newborn infants; amending s. 383.50, F.S.; providing that if the mother of a newborn infant considers applying for eligibility for the Medicaid program through the hospital as a qualified Medicaid provider, the hospital must notify the mother that the act of applying for Medicaid will cause her personal information included on the Medicaid application to be submitted to the Department of Children and Family Services; authorizing a hospital to seek reimbursement from Medicaid for care provided to a surrendered newborn infant and the mother of a surrendered newborn infant related to labor and delivery of the infant, if the infant is determined by the Department of Children and Family Services to be Medicaid eligible; prohibiting the hospital from seeking payment for such care from the mother of a surrendered newborn infant or from any individual financially responsible for the mother of a surrendered newborn infant; amending s. 409.911, F.S.; redefining the definition of “charity care” for the disproportionate share program; providing that if a patient has income that exceeds a specified multiple of the federal poverty level, the care provided to the patient does not qualify as charity care unless the care is provided without compensation to a surrendered newborn infant or the person financially responsible for the mother of the surrendered newborn infant; providing an effective date.

By the Committee on Health Regulation; and Senator Garcia—

CS for SB 1458—A bill to be entitled An act relating to assisted care communities; amending s. 400.141, F.S.; deleting adult care communities from the standards and rules of the Agency for Health Care Administration which apply to registered pharmacists under contract with a nursing home and related health care facilities; amending s. 408.820, F.S.; providing that assisted living facilities are exempt from certain provisions authorizing the agency to impose administrative fines for violations of laws and applicable rules; amending s. 409.912, F.S.; requiring the agency to provide for the establishment of a demonstration project for a psychiatric facility in Miami-Dade County; amending s. 429.01, F.S.; revising legislative intent and the purposes of the Assisted Living Facilities Act; amending s. 429.02, F.S.; providing, revising, and deleting definitions; amending s. 429.04, F.S.; deleting provisions exempting a home health agency from licensure as an assisted living facility under certain circumstances; amending s. 429.07, F.S.; deleting limited nursing services as a category of care in which the agency may issue a license; revising the criteria and requirements for categories of care in which the agency may issue a license; revising the licensing fees; requiring the agency to conduct a survey to determine whether a facility must be monitored; providing that certain cited assisted living facilities are subject to unannounced monitoring activities; providing for a registered nurse to participate in monitoring visits within a certain time following a class I or class II violation involving nursing care; amending s. 429.08, F.S.; requiring emergency medical technicians or paramedics to report the operations of an unlicensed assisted living facility; amending s. 429.11, F.S.; requiring the Agency for Health Care Administration to develop an abbreviated form for submission of proof of financial ability to operate an assisted living facility; amending s. 429.12, F.S.; deleting the provision that requires a transferor of an assisted living facility to advise the transferee that a plan of correction must be submitted by the transferee and approved by the agency within a specified period; amending s. 429.14, F.S.; deleting a provision that authorizes the agency to impose an administrative penalty due to the actions of a facility's employee; revising the actions for which the agency may impose an administrative penalty; conforming a provision to changes made by the act; deleting the provision that authorizes the agency to revoke or deny the license of an assisted living facility that has certain class I violations; deleting a provisions that requires the agency to provide to the Division of Hotels and Restaurants of the Department of Business and Professional Regulation a monthly list of assisted living facilities that have had their licenses denied, suspended, or revoked; amending s. 429.17, F.S.; conforming provisions to changes made by the act; revising requirements for a conditional license; amending s. 429.178, F.S.; providing safety requirements for facilities serving persons with Alzheimer's disease or other related disorders; deleting a provision relating to a facility's responsibility for the payment of certain training and education programs; amending s. 429.19, F.S.; revising procedures for the Agency for Health Care Administration regarding the imposition of fines for violations of ch. 429, F.S., related to adult care communities; specifying the conditions or occurrences that constitute a class I, class II,

class III, or class IV violation; amending s. 429.195, F.S.; prohibiting the licensee of an assisted living facility from contracting or promising to pay or receive any commission, bonus, kickback, or rebate or from engaging in any split-fee arrangement with any health care provider or health care facility; providing certain exceptions; amending s. 429.20, F.S.; prohibiting the solicitation of contributions of any kind in a threatening, coercive, or unduly forceful manner by or on behalf of an assisted living facility; deleting provisions specifying that the solicitation or receipt of contributions is grounds for denial, suspension, or revocation of a license for an assisted living facility; amending s. 429.23, F.S.; revising reporting requirements with respect to adverse incidents; amending s. 429.255, F.S.; permitting certain licensed persons to provide limited nursing services; deleting the provision that allows volunteers to perform duties within the scope of their license or certification in facilities that are licensed to provide extended congregate care; amending s. 429.256, F.S.; authorizing a facility to require certain dispensing systems for residents' prescriptions; revising criteria for assistance with self-administration of medication; amending s. 429.26, F.S.; removing a requirement that a facility notify a licensed physician when a resident exhibits certain signs of dementia, cognitive impairment, or change of condition; amending s. 429.27, F.S.; revising provisions relating to the property and personal effects of residents of a facility; requiring a facility's licensee, owner, administrator, staff, or representative to execute a surety bond for each resident for whom power of attorney has been granted to the licensee, owner, administrator, or staff; deleting the provision that requires a governmental agency or private charitable agency to receive a statement of all funds and other property of a resident; deleting a provision that prohibits an administrator of a facility from levying an additional charge to the individual or the account for any supplies or services that the facility has agreed by contract to provide; repealing s. 429.275(4), F.S., relating to rulemaking authority of the Department of Elderly Affairs over financial records, personnel procedures, accounting procedures, reporting procedures, and insurance coverage for residents of assisted living facilities; amending s. 429.28, F.S., relating to the resident bill of rights; revising the number of days' notice for relocation or termination of residency at a facility; removing responsibilities of the agency for conducting compliance surveys and complaint investigations; revising the actions of a person for which a staff member or employee of a facility is prohibited from taking retaliatory action upon; prohibiting the administrator of a facility from terminating the residency of an individual under certain circumstances; amending s. 429.41, F.S.; revising rulemaking authority regarding resident care and maintenance of facilities; requiring the State Fire Marshal, in cooperation with the agency, to establish and enforce fire-safety standards; deleting the requirement for a facility to conduct a minimum number of resident elopement drills; requiring the agency to use an abbreviated biennial standard licensure inspection; requiring the agency, in consultation with the Department of Health, to develop, maintain, and update the key quality-of-care standards with input from the State Long-Term Care Ombudsman Council and representatives of associations and organizations representing assisted living facilities; amending s. 429.42, F.S.; removing a provision that required a corrective plan for deficiencies related to assistance with the self-administration of medication or the administration of medication; deleting a requirement that the agency employ a certain number of pharmacists among its personnel who inspect assisted living facilities; amending s. 429.445, F.S.; removing a requirement that an assisted living facility submit certain information to the agency before commencing construction to expand the facility; amending s. 429.47, F.S.; authorizing an owner of an assisted living facility to advertise to the public while the facility is under construction or is seeking licensure; deleting a provision that prohibits a freestanding facility from advertising or implying that any part of it is a nursing home; amending s. 429.49, F.S.; conforming terminology to changes made by the act; amending s. 429.52, F.S.; revising training and education requirements for certain administrators, facility staff, and other licensed professionals; requiring training providers certified by the department to meet continuing education requirements and standards; providing conditions for the sanctioning of training providers and trainees; amending s. 429.53, F.S.; removing provisions relating to preconstruction approvals and reviews and agency consultations; repealing s. 429.54, F.S., relating to the collection of information regarding the actual cost of providing services in assisted living facilities and local subsidies; amending s. 429.71, F.S.; clarifying terminology; removing a provision authorizing the agency to request a plan to remedy violations by adult family-care homes; conforming terminology to changes made by the act; amending s. 429.81, F.S.; specifying that residency agreements require a resident to provide 30 days' written notice of intent

to terminate his or her residency; creating s. 430.081, F.S.; authorizing the Department of Elderly Affairs to sanction training providers and trainees for infractions involving any required training; providing training infractions; providing sanctions; amending s. 817.505, F.S.; providing that payments by an assisted living facility are not considered patient brokering under certain circumstances; providing that licensure fees adjusted by consumer price index increases prior to the effective date of the act are not intended to be reset by the act and may continue to accrue as authorized by law; providing an effective date.

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

CS for CS for SB 1546—A bill to be entitled An act relating to charter schools; amending ss. 163.3180 and 1002.32, F.S.; conforming cross-references; amending s. 1002.33, F.S.; requiring that the Department of Education provide or arrange for training and technical assistance for charter schools; providing for the designation of charter schools as high-performing if certain requirements are met; providing definitions relating to the high-performing charter school system; revising provisions to conform to changes made by the act; amending ss. 1002.34, 1011.68, 1012.32, and 1013.62, F.S.; conforming cross-references; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study comparing the funding of charter schools to the funding of public schools; providing requirements for the study; requiring that the office submit its recommendations and findings to the Governor and Legislature by a specified date; providing for severability; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Lynn—

CS for SB 1548—A bill to be entitled An act relating to the Streamlined Sales and Use Tax Agreement; amending s. 212.02, F.S.; revising definitions; amending s. 212.03, F.S.; specifying certain facilities that are exempt from the transient rentals tax; amending s. 212.0306, F.S.; eliminating the use of brackets in the calculation of sales and use taxes; amending s. 212.031, F.S.; providing that an exception relating to food and drink concessionaire services from the tax on the license or rental fee for the use of real property is limited to the space used exclusively for selling and distributing food and drinks; providing that the amendment to the exception from the tax on the license or rental fee for the use of real property is retroactive and remedial in nature; amending s. 212.04, F.S.; eliminating the use of brackets in the calculation of sales and use taxes; limiting the application of an exemption from the admissions tax to certain events sponsored by certain educational institutions; amending s. 212.05, F.S.; deleting a reference to mail-order sales to conform to changes made by the act; deleting criteria establishing circumstances under which taxes on the lease or rental of a motor vehicle are due; revising criteria establishing circumstances under which taxes on the sale of a prepaid calling arrangement are due; increasing the tax rate applicable to coin-operated amusement machines; eliminating the use of brackets in the calculation of sales and use taxes; amending s. 212.0506, F.S.; eliminating the use of brackets in the calculation of the tax on service warranties; amending s. 212.054, F.S.; limiting the \$5,000 cap on discretionary sales surtax to the sale of motor vehicles, aircraft, boats, motor homes, manufactured homes, modular homes, and mobile homes; specifying the time at which changes in surtaxes may take effect; providing criteria to determine the situs of certain sales; requiring the Department of Revenue to notify dealers of changes in surtax rates; providing for databases to identify taxing jurisdictions; providing criteria for holding purchasers harmless for failure to pay the correct amount of tax; holding sellers harmless for failing to collect a tax at a new rate under certain circumstances; amending s. 212.055, F.S.; deleting a provision providing for the emergency fire rescue services and facilities surtax to be initiated on a certain date after the approval of the tax in a referendum; amending s. 212.06, F.S.; deleting a reference to mail-order sales to conform to changes made by the act; specifying procedures for the sourcing of advertising and promotional direct mail; specifying procedures for sourcing other direct mail; providing definitions; providing that sales and use taxes do not apply to transactions involving tangible personal property that is exported from this state under certain circumstances; amending s. 212.07, F.S.; authorizing the Department of Revenue to use electronic means to notify dealers of changes in the sales and use tax rates; authorizing the Department of Revenue to create and maintain a taxability matrix; pro-

viding immunity from liability for acts in reliance on the taxability matrix; amending s. 212.08, F.S.; revising exemptions from the sales and use tax for food and medical products; limiting the exemption for building materials used in the rehabilitation of real property located in an enterprise zone to one exemption per building; defining terms relating to the exemption for building materials used in the rehabilitation of real property located in an enterprise zone; exempting certain charges relating to railroad cars which are subject to the jurisdiction of the United States Interstate Commerce Commission from sales and use taxes; exempting certain payments relating to a high-voltage bulk transmission facility from sales and use taxes; deleting references to "qualifying property" to conform to changes made by the act; creating s. 212.094, F.S.; providing a procedure for a purchaser to obtain a refund of tax collected by a dealer; amending s. 212.12, F.S.; authorizing collection allowances; setting requirements for a collection allowance to be allowed; authorizing collection allowances for certain remote sellers; providing for a reduction; authorizing the Department of Revenue to establish collection allowances for certified service providers; deleting a reference to mail-order sales to conform to changes made by the act; providing for the computation of taxes based on rounding instead of brackets; amending s. 212.15, F.S.; deleting a cross-reference relating to a provision providing for the state to hold certain tax revenues for the benefit of another state, to conform to changes made by the act; amending s. 212.17, F.S.; providing additional criteria for a dealer to claim a credit or refund for taxes paid relating to bad debts; amending s. 212.18, F.S.; authorizing the Department of Revenue to waive the dealer registration fee for applications submitted through a multistate electronic registration system; deleting a reference to mail-order sales to conform to changes made by the act; amending s. 212.20, F.S.; deleting procedures for refunds of tax paid on mail order sales; providing for reduction of the Local Government Half-cent Sales Tax Clearing Trust Fund beginning in 2012; creating s. 213.052, F.S.; requiring the Department of Revenue to notify dealers of changes in a sales and use tax rate; specifying dates on which changes in sales and use tax rates may take effect; creating s. 213.0521, F.S.; providing the effective date for changes in the rate of state sales and use taxes applying to services; creating s. 213.215, F.S.; providing amnesty for uncollected or unpaid sales and use taxes for sellers who register under the Streamlined Sales and Use Tax Agreement; providing exceptions to the amnesty; amending s. 213.256, F.S.; defining terms; authorizing the Department of Revenue to enter into agreements with other states to simplify and facilitate compliance with sales tax laws; creating s. 213.2562, F.S.; requiring the Department of Revenue to review software submitted to the governing board for certification as a certified automated system; creating s. 213.2567, F.S.; providing for the registration of sellers, the certification of a person as a certified service provider, and the certification of a software program as a certified automated system by the governing board under the Streamlined Sales and Use Tax Agreement; authorizing the Department of Revenue to adopt emergency rules; requiring the President of the Senate and Speaker of the House of Representatives to create a joint select committee to study certain matters related to state taxation; amending ss. 11.45, 196.012, 202.18, 203.01, 212.052, 212.081, 212.13, 218.245, 218.65, 288.1045, 288.11621, 288.1169, 551.102, and 790.0655, F.S.; conforming cross-references to changes made by the act; repealing s. 212.0596, F.S., relating to provisions pertaining to the taxation of mail-order sales; providing an effective date.

By the Committee on Military Affairs, Space, and Domestic Security; and Senator Latvala—

CS for SB 1574—A bill to be entitled An act relating to business enterprise opportunities for wartime veterans; amending s. 295.187, F.S.; revising legislative intent; renaming and revising the Florida Service-Disabled Veteran Business Enterprise Opportunity Act to expand the vendor preference in state contracting to include certain businesses owned and operated by wartime veterans or veterans of a period of war; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Lynn—

CS for SB 1626—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 tubes; providing an effective date.

By the Committee on Higher Education; and Senator Wise—

CS for SM 1654—A memorial to notify the Federal Government of colleges and universities in this state which are authorized to operate educational programs beyond the secondary level.

By the Committee on Higher Education; and Senator Lynn—

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 missions of postsecondary education institutions, performance outputs and outcomes, articulation policies, workforce development education, and baccalaureate degree authorization; 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; revising the minimum Advanced Placement Examination scores for postsecondary credit; 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.

By the Committee on Health Regulation; and Senator Storms—

CS for SB 1744—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on a woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient before the woman gives informed consent for the abortion procedure; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; requiring an ultrasound for all patients regardless of when the abortion is performed; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

By the Committees on Transportation; and Regulated Industries; and Senator Hays—

CS for CS for SB 1824—A bill to be entitled An act relating to regulated professions and occupations; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release certain digital images to the Department of Business and Professional Regulation to identify certain persons; amending s. 455.213, F.S.; authorizing the Department of Business and Professional Regulation to grant waivers of renewal fees under certain circumstances; amending s. 455.271, F.S.; revising continuing education requirements for certain license reactivations; amending s. 475.42, F.S.; revising violations and penalties for real estate professionals; amending s. 477.0212, F.S.; revising continuing education requirements for cosmetology license reactivations; amending s. 477.0265, F.S.; revising prohibited acts for cosmetologists; amending s. 481.217, F.S.; revising continuing education requirements for license reactivation of architect or interior design licenses; amending s. 481.315, F.S.; revising continuing education requirements for landscape architect license reactivations; amending s. 489.116, F.S.; revising continuing education requirements for contractor license reactivations; amending s. 489.519, F.S.; revising continuing education requirements for electrical and alarm system contractor li-

cense reactivations; repealing s. 475.611(1)(v), F.S., relating to Uniform Standards of Professional Appraisal Practice; repealing s. 475.626(1)(b) and (c), F.S., relating to violations and penalties against registered appraisers; amending s. 475.624, F.S.; establishing professional standards for appraisers by board rule; amending s. 475.628, F.S.; authorizing the board to adopt rules establishing standards of professional appraisal practice; amending s. 509.032, F.S.; clarifying provisions relating to the preemption to the state of the regulation of public lodging and public food service establishments; amending s. 509.261, F.S.; providing for remedial training in response to certain violations by public lodging and food service establishments; amending s. 10, chapter 2010-84, Laws of Florida; delaying the effective date of provisions relating to the discipline of appraisal management companies; creating s. 473.3066, F.S.; authorizing the Board of Accountancy to establish a peer review oversight committee; providing for membership and duties of the oversight committee; requiring the board to adopt rules under certain circumstances; amending s. 473.311, F.S.; revising licensure renewal requirements for firms engaged in certain aspects of the practice of public accounting; requiring such firms to comply with certain peer review requirements; providing an exception; creating s. 473.3125, F.S.; defining terms for purposes of peer review requirements; requiring firms engaged in certain aspects of the practice of public accounting to enroll in peer review programs and undergo peer reviews; providing for the frequency of peer reviews; providing exceptions; requiring firms that fail a specified number of peer reviews to submit certain documentation to the board; requiring the board to adopt rules establishing minimum standards for peer review programs and requiring a peer review administering organization to submit certain information; providing for the approval of peer review administering organizations; authorizing the board to withdraw approval of peer review administering organizations under certain circumstances; providing that certain persons who perform specified administrative services for a peer review administering organization are immune from civil liability; providing that the proceedings, records, and workpapers of peer review administering organizations are confidential and privileged; providing exceptions; prohibiting persons involved in peer reviews from testifying; amending s. 473.323, F.S.; providing additional grounds for the discipline of firms engaged in certain aspects of the practice of public accounting, to which penalties apply; authorizing disciplinary actions to be taken against firms that fail to enroll in a peer review program, to undergo a peer review, or to cooperate with a peer review administering organization approved by the board; revising requirements for reissuance of licenses after compliance with disciplinary final orders; conforming provisions; amending s. 481.205, F.S.; authorizing the Board of Architecture and Interior Design to contract with certain private entities for specific functions; repealing s. 686.201, F.S., relating to sales representative contracts involving commissions; amending s. 373.461, F.S.; requiring certain appraisers to follow specific standards of professional practice in appraisals involving the restoration of the Lake Apopka Basin; amending s. 475.25, F.S.; conforming and clarifying certain real estate appraisal standards and practices; amending s. 475.615, F.S.; conforming provisions relating to standards of professional practice for real estate appraisers; amending s. 475.617, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6175, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6235, F.S.; conforming provisions relating to appraisal practice; amending s. 475.6245, F.S.; conforming provisions relating to appraisal practice; providing effective dates.

By the Committee on Commerce and Tourism; and Senator Margolis—

CS for SB 1878—A bill to be entitled An act relating to the jurisdiction of the courts; amending s. 48.193, F.S.; including as an additional basis for subjecting a person to the jurisdiction of the courts of this state the basis for jurisdiction provisions which state that a person submits to the jurisdiction of the courts of this state by entering into a contract that designates the law of this state as the law governing the contract and that contains a provision by which such person agrees to submit to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; revising the definition of the term “foreign judgment” for purposes of the Florida Enforcement of Foreign Judgments Act; amending s. 684.0019, F.S.; clarifying that an arbitral tribunal receiving a request for an interim measure to preserve evidence in a dispute governed by the Florida International Commercial Arbitration Act need only consider to the extent appropriate the potential harm that may occur if the measure is not awarded or the possibility that the requesting party will succeed on the merits of the claim; amending s. 684.0026, F.S.; correcting a cross-

reference in the Florida International Commercial Arbitration Act; amending s. 685.101, F.S.; deleting a restriction on the jurisdiction of the courts of this state to transactions bearing a substantial relation to this state; revising application dates of provisions relating to the jurisdiction of the courts; amending s. 685.102, F.S.; revising application dates of provisions relating to the jurisdiction of the courts; providing an effective date.

By the Committee on Transportation; and Senator Evers—

CS for SB 1912—A bill to be entitled An act relating to trucking; providing a short title; defining the term “small trucking firm”; creating the Trucking Regulation Workgroup; providing for membership of the workgroup; directing the workgroup to make a report to the Governor, the Speaker of the House of Representatives, and the President of the Senate by a certain date; providing requirements of the report; providing for termination of the workgroup; providing an effective date.

By the Committee on Community Affairs; and Senator Garcia—

CS for SB 1962—A bill to be entitled An act relating to revitalizing municipalities; amending s. 212.096, F.S.; conforming a cross-reference; amending s. 212.20, F.S.; providing for the transfer of certain sales tax revenues from the General Revenue Fund to the Revenue Sharing Trust Fund for Municipalities; amending s. 218.23, F.S.; providing for a distribution from the Revenue Sharing Trust Fund for Municipalities relating to an increase in sales tax collections over the preceding year to the governing body of an area that receives tax increment revenues pursuant to a designation as a sales tax TIF area; amending ss. 220.181 and 288.1175, F.S.; conforming cross-references; amending s. 290.004, F.S.; providing definitions; amending s. 290.0056, F.S.; revising provisions relating to the enterprise zone development agency; providing powers of the governing board upon the designation of a sales tax TIF area; amending s. 290.0057, F.S.; revising provisions relating to an enterprise zone development plan to conform to changes made by the act; amending s. 290.007, F.S.; providing an economic incentive within enterprise zones designated as sales tax TIF areas; creating ss. 290.01351, 290.0136, 290.0137, 290.0138, 290.0139, and 290.01391, F.S.; creating the “Municipal Revitalization Act”; providing legislative intent and purposes; authorizing specified governing bodies to create a sales tax TIF areas within a county or municipality having a specified population; providing that the governing body for an enterprise zone where a sales tax TIF area is located is eligible for specified percentage distributions of increased state sales tax collections under certain circumstances; requiring the Department of Revenue to determine the amount of increased sales tax collections to be distributed to each eligible designated redevelopment agency and to transfer the aggregate amount due to all such agencies to the Revenue Sharing Trust Fund for Municipalities for distribution; granting specified powers to a governing body for a sales tax TIF area for the purpose of providing financing and fostering certain public and private improvements, including issuing revenue bonds; requiring that an agreement between a designated redevelopment agency and private sponsor of a project include a requirement that a specified number of jobs be created under certain circumstances; providing for the issuance of tax increment revenue bonds and the use of such bonds; providing an effective date.

By the Committees on Judiciary; and Judiciary—

CS for SB 2040—A bill to be entitled An act relating to unauthorized immigrants; directing the Division of Statutory Revision to designate specified new statutory sections as part III of ch. 448, F.S., and name the part “Unauthorized Immigrants”; creating s. 448.30, F.S.; defining terms; creating s. 448.31, F.S.; requiring every employer to use the federal program for electronic verification of employment eligibility in order to verify the employment eligibility of each employee hired on or after a specified date; providing an exception for employers who request and receive from the employee certain driver’s licenses or identification cards; requiring the employers to check the documents using authentication technology; directing the Department of Highway Safety and Motor Vehicles to post information on the website of the department relating to compliance by states with the federal REAL ID Act of 2005; directing the department to adopt rules relating to authentication technology; providing that an employer who does not comply with the employment requirements is subject to the suspension of any license

held by the employer; providing that an employer is not liable for terminating an employee under certain conditions; providing legislative intent for law enforcement and criminal justice agencies to coordinate with the Federal Government on the identification of unauthorized immigrants and enforcement of immigration laws; authorizing the Department of Corrections and the Department of Law Enforcement to pursue agreements with the United States Department of Homeland Security for the training of certain personnel related to the enforcement of immigration laws; requiring reports on activity under the agreements; providing that sheriffs may evaluate the feasibility of entering into such agreements; directing certain agencies having custody of individuals convicted of dangerous crimes to make reasonable efforts to determine whether the individuals are present in the United States lawfully; requiring arresting agencies to adopt rules relating to this requirement and authorizing the agencies to enter into agreements with Immigration and Customs Enforcement; providing for a presumption as to risk of flight in order to avoid prosecution; creating s. 945.80, F.S.; requiring the Department of Corrections to release nonviolent inmates to the custody of the United States Immigration and Customs Enforcement under certain circumstances; requiring the department to identify inmates who are eligible for removal and deportation; establishing certain procedures for the transfer of an inmate to federal custody; providing for a released inmate to serve the remainder of his or her sentence upon unlawfully returning to the United States; authorizing the secretary of the department to enter into an agreement with the United States Department of Homeland Security regarding the rapid repatriation of removable custodial aliens; requiring the department to compile statistics; providing for applicability; providing legislative findings related to costs incurred by the state from unauthorized immigration; requiring the Agency for Workforce Innovation to prepare a report quantifying the costs; requiring the director of the agency to submit to the Federal Government a request for reimbursement of the costs or a reduction in moneys owed to the Federal Government as a result of borrowing to fund unemployment compensation claims; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Braynon—

CS for SB 2050—A bill to be entitled An act relating to destination resorts; amending s. 20.21, F.S.; creating the Destination Resort Commission within the Department of Revenue; amending s. 120.80, F.S.; exempting the Destination Resort Commission from specified provisions of the Administrative Procedure Act; creating the Destination Resort Act; providing definitions; providing that the Destination Resort Commission is a separate budget entity from the Department of Revenue; providing for the appointment and qualifications of members of the commission; providing for the selection of the chair and vice chair of the commission; providing that the chair is the administrative head of the commission; specifying the responsibilities of the chair; providing that the commission serves as the agency head for purposes of the Administrative Procedure Act; providing that the executive director of the commission may serve as the agency head for purposes of final agency action within the authority delegated by the commission; specifying the powers of the commission, including the power to authorize limited gaming at up to five destination resorts, conduct investigations, issue subpoenas, take enforcement actions, and create an invitation to negotiate process to evaluate applications for a resort license; specifying the jurisdiction of the commission, the Department of Law Enforcement, and local law enforcement agencies to investigate criminal violations relating to limited gaming; requiring the commission to revoke or suspend the licensee of a person who was unqualified at the time of licensure or who is no longer qualified to be licensed; authorizing the commission to adopt rules relating to the types of gaming authorized, requirements for the issuance, renewal, revocation, and suspension of licenses, the disclosure of financial interests, procedures to test gaming equipment, procedures to verify gaming revenues and the collection of taxes, requirements for gaming equipment, procedures relating to a facilities-based computer system, bond requirements of resort licensees, the maintenance of records, procedures to calculate the payout percentages of slot machines, security standards, the scope and conditions for investigations and inspections into the conduct of limited gaming, the seizure of gaming equipment and records without notice or a warrant, employee drug-testing programs, and the payment of costs, fines, and application fees; authorizing the commission to adopt emergency rules; exempting the rules from specified provisions of the Administrative Procedure Act; authorizing the commission to employ law enforcement officers; specifying the qualifications and powers of law enforcement of-

ficers employed by the commission; providing for the appointment, qualifications, and powers of the executive director of the commission; specifying persons who may not be employed by the commission; requiring the commission to adopt a code of ethics for its employees, members, and agents; specifying prohibited financial interests and relationships; imposing postemployment restrictions on members, employees, and agents of the commission; restricting the political activities of members, employees, and agents of the commission; prohibiting commissioners, employees, and agents of the commission from wagering under certain circumstances; requiring members, employees, and agents of the commission to annually disclose certain financial interests; specifying conditions under which members, employees, and agents of the commission must immediately disclose certain financial matters, criminal matters, employment negotiations, the offering or acceptance of gifts, and the offering of a bribe; prohibiting ex parte communications between applicants or licensees and members of the commission; requiring parties to an ex parte communication to disclose the substance of the communication; authorizing the imposition of a fine on a member of the commission who fails to disclose an ex parte communication; authorizing the Commission on Ethics to investigate complaints alleging an ex parte communication; requiring the Commission on Ethics to provide a report of its findings to the Governor if it finds that a commissioner violated the prohibitions on ex parte communications; authorizing the Commission on Ethics to bring an action against a commissioner to collect any penalties assessed; prohibiting a person who participated in an ex parte communication from appearing or representing a person before the commission for a certain time; specifying grounds for removal or termination of employment of commissioners and employees who violate the laws regulating limited gaming; requiring a referendum in the county where a destination resort is to be located as a prerequisite to the conduct of limited gaming activities; preempting the regulation of limited gaming at a destination resort to the state; requiring the commission to develop an invitation to negotiate process to award a resort license; specifying the minimum criteria that an applicant must meet to be awarded a destination resort license; specifying events that disqualify an applicant from eligibility for a resort license; specifying the information that must be on or included with an application for a resort license; specifying the amount of a nonrefundable application fee for a resort license to be used to defray the costs of an investigation of the applicant; authorizing the imposition of additional fees if the amount of the application fee is insufficient to cover the costs of the investigation; requiring the payment of a one-time licensing fee to be submitted along with an application for a resort license; requiring the executive director to notify an applicant for a resort license if the application is incomplete; authorizing the applicant to have an informal conference with the executive director to discuss an incomplete application; authorizing the executive director to grant an extension to complete an application; providing for the stay of the award of a resort license during an extension or the appeal to the commission of a finding by the executive director that an application is incomplete; exempting an institutional investor that is a qualifier for a resort licensee from certain application requirements under certain circumstances; requiring notice to the commission of any changes that may require a person to comply with the full application requirements; exempting lending institutions and underwriters from licensing requirements as a qualifier under certain circumstances; specifying conditions for a resort licensee to maintain licensure; requiring that the licensee post a bond; specifying conditions for the conduct of limited gaming by a resort licensee; requiring the commission to renew the license of a resort licensee if the licensee satisfies specified conditions; specifying an annual fee for the renewal of a resort license; imposing a tiered gross receipts tax based on the amount of a resort licensee's infrastructure costs; providing for the deposit of the tax into the Destination Resort Trust Fund; providing for certain unappropriated funds in the Destination Resort Trust Fund to be deposited into the General Revenue Fund, the Tourism Promotional Trust Fund, the Employment Security Administration Trust Fund, the Transportation Disadvantaged Trust Fund, and Thoroughbred permitholders, the Florida Thoroughbred Breeders and Owners Association, and the permitholders licensed to conduct live greyhound races, harness races, or jai alai licensees; providing for the proceeds of the gross receipts tax to fund the operations of the commission; providing procedures for the submission and processing of fingerprints of certain persons regulated by the commission; providing that the cost of processing the fingerprints shall be borne by a licensee or applicant; requiring a person to report to the commission certain pleas and convictions for disqualifying offenses; requiring a resort licensee to train its employees about compulsive gambling; requiring a resort licensee to work with a compulsive gambling

prevention program; requiring the commission to contract for services relating to the prevention of compulsive gambling; providing for the commission's compulsive gambling prevention program to be funded from a regulatory fee imposed on resort licensees; requiring a person to have a supplier's license to furnish certain goods and services to a resort licensee; specifying the amount of the application fee for a supplier's license; specifying persons who are disqualified from receiving a supplier's license; specifying circumstances under which the commission may revoke a supplier's license; authorizing the commission to adopt rules relating to the licensing of suppliers; requiring a supplier licensee to furnish a list of gaming devices and equipment to the commission, maintain records, file quarterly returns, and affix its name to the gaming equipment and supplies that it offers; requiring that the supplier licensee annually report its inventory to the commission; authorizing the commission to revoke a supplier's license under certain circumstances; providing that the equipment of a supplier's licensee which is used in unauthorized gaming will be forfeited to the county where the equipment is found; imposing a criminal penalty on a person who knowingly makes a false statement on an application for a supplier's license; requiring a person to have an occupational license to serve as a limited gaming employee of a resort licensee; requiring a person to apply to the commission for an occupational license and pay an application fee; specifying information that an applicant must include in an application for an occupational license; specifying grounds for the commission to deny an application for an occupational license; imposing a criminal penalty on a person who knowingly makes a false statement on an application for an occupational license; authorizing the executive director of the commission to issue a temporary occupational or temporary supplier's license under certain circumstances; requiring the commission to file quarterly reports with the Governor, the President of the Senate, and the Speaker of the House of Representatives; specifying procedures for the conduct of proceedings by the commission; authorizing the chair of the commission to assign a proceeding to less than the full commission; providing procedures for the resolution of certain disputes between a resort licensee and a patron; requiring a resort licensee to notify the commission of certain disputes with a patron involving amounts of \$500 or more; requiring a resort licensee to notify a patron of the right to file a complaint with the commission regarding certain disputes of an amount less than \$500; authorizing the commission to investigate disputes and to order a resort licensee to make a payment to a patron; providing for the enforcement of credit instruments; authorizing a resort licensee to accept an incomplete credit instrument and to complete incomplete credit instruments under certain circumstances; providing that existence of a mental disorder is not a defense or a valid counterclaim in an action to enforce a credit instrument; authorizing the commission to adopt rules prescribing the conditions under which a credit instrument may be presented to a bank; providing that a resort licensee has the right to exclude a person from its limited gaming facility; authorizing a person to request that the commission exclude her or him from limited gaming facilities; specifying the required contents of the request; providing that a self-excluded person who is found on a gaming floor may be arrested and prosecuted for criminal trespass; providing that a self-excluded person holds harmless the commission and licensees from claims for losses and damages under certain circumstances; allowing pari-mutuel facilities to conduct all games under certain conditions when a resort license to conduct limited gaming activities is authorized in Miami-Dade County or Broward County; amending s. 849.15, F.S.; authorizing slot machine gaming in a resort licensee and the transportation of slot machines pursuant to federal law; amending s. 849.231, F.S.; providing that a prohibition on gambling devices does not apply to slot machine licenses authorized under state law or limited gaming as authorized in the act; amending s. 849.25, F.S.; providing that a prohibition on gaming does not apply to limited gaming as authorized in the act; transferring all powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds for the administration of ch. 551, F.S., intact by a type two transfer from the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to the Destination Resort Commission; providing for severability; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Health Regulation; and Senator Storms—

CS for SB 1744—A bill to be entitled An act relating to abortions; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on a woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient before the woman gives informed consent for the abortion procedure; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; requiring an ultrasound for all patients regardless of when the abortion is performed; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

—was referred to the Committee on Rules.

By the Committees on Judiciary; and Judiciary—

CS for SB 2040—A bill to be entitled An act relating to unauthorized immigrants; directing the Division of Statutory Revision to designate specified new statutory sections as part III of ch. 448, F.S., and name the part "Unauthorized Immigrants"; creating s. 448.30, F.S.; defining terms; creating s. 448.31, F.S.; requiring every employer to use the federal program for electronic verification of employment eligibility in order to verify the employment eligibility of each employee hired on or after a specified date; providing an exception for employers who request and receive from the employee certain driver's licenses or identification cards; requiring the employers to check the documents using authentication technology; directing the Department of Highway Safety and Motor Vehicles to post information on the website of the department relating to compliance by states with the federal REAL ID Act of 2005; directing the department to adopt rules relating to authentication technology; providing that an employer who does not comply with the employment requirements is subject to the suspension of any license held by the employer; providing that an employer is not liable for terminating an employee under certain conditions; providing legislative intent for law enforcement and criminal justice agencies to coordinate with the Federal Government on the identification of unauthorized immigrants and enforcement of immigration laws; authorizing the Department of Corrections and the Department of Law Enforcement to pursue agreements with the United States Department of Homeland Security for the training of certain personnel related to the enforcement of immigration laws; requiring reports on activity under the agreements; providing that sheriffs may evaluate the feasibility of entering into such agreements; directing certain agencies having custody of individuals convicted of dangerous crimes to make reasonable efforts to determine whether the individuals are present in the United States lawfully; requiring arresting agencies to adopt rules relating to this requirement and authorizing the agencies to enter into agreements with Immigration and Customs Enforcement; providing for a presumption as to risk of flight in order to avoid prosecution; creating s. 945.80, F.S.; requiring the Department of Corrections to release nonviolent inmates to the custody of the United States Immigration and Customs Enforcement under certain circumstances; requiring the department to identify inmates who are eligible for removal and deportation; establishing certain procedures for the transfer of an inmate to federal custody; providing for a released inmate to serve the remainder of his or her sentence upon unlawfully returning to the United States; authorizing the secretary of the department to enter into an agreement with the United States Department of Homeland Security regarding the rapid repatriation of removable custodial aliens; requiring the department to compile statistics; providing for applicability; providing legislative findings related to costs incurred by the state from unauthorized immigration; requiring the Agency for Workforce Innovation to prepare a report quantifying the costs; requiring the director of the agency to submit to the Federal Government a request for reimbursement of the costs or a reduction in

moneys owed to the Federal Government as a result of borrowing to fund unemployment compensation claims; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Commerce and Tourism; and Senator Braynon—

CS for SB 2050—A bill to be entitled An act relating to destination resorts; amending s. 20.21, F.S.; creating the Destination Resort Commission within the Department of Revenue; amending s. 120.80, F.S.; exempting the Destination Resort Commission from specified provisions of the Administrative Procedure Act; creating the Destination Resort Act; providing definitions; providing that the Destination Resort Commission is a separate budget entity from the Department of Revenue; providing for the appointment and qualifications of members of the commission; providing for the selection of the chair and vice chair of the commission; providing that the chair is the administrative head of the commission; specifying the responsibilities of the chair; providing that the commission serves as the agency head for purposes of the Administrative Procedure Act; providing that the executive director of the commission may serve as the agency head for purposes of final agency action within the authority delegated by the commission; specifying the powers of the commission, including the power to authorize limited gaming at up to five destination resorts, conduct investigations, issue subpoenas, take enforcement actions, and create an invitation to negotiate process to evaluate applications for a resort license; specifying the jurisdiction of the commission, the Department of Law Enforcement, and local law enforcement agencies to investigate criminal violations relating to limited gaming; requiring the commission to revoke or suspend the licensee of a person who was unqualified at the time of licensure or who is no longer qualified to be licensed; authorizing the commission to adopt rules relating to the types of gaming authorized, requirements for the issuance, renewal, revocation, and suspension of licenses, the disclosure of financial interests, procedures to test gaming equipment, procedures to verify gaming revenues and the collection of taxes, requirements for gaming equipment, procedures relating to a facilities-based computer system, bond requirements of resort licensees, the maintenance of records, procedures to calculate the payout percentages of slot machines, security standards, the scope and conditions for investigations and inspections into the conduct of limited gaming, the seizure of gaming equipment and records without notice or a warrant, employee drug-testing programs, and the payment of costs, fines, and application fees; authorizing the commission to adopt emergency rules; exempting the rules from specified provisions of the Administrative Procedure Act; authorizing the commission to employ law enforcement officers; specifying the qualifications and powers of law enforcement officers employed by the commission; providing for the appointment, qualifications, and powers of the executive director of the commission; specifying persons who may not be employed by the commission; requiring the commission to adopt a code of ethics for its employees, members, and agents; specifying prohibited financial interests and relationships; imposing postemployment restrictions on members, employees, and agents of the commission; restricting the political activities of members, employees, and agents of the commission; prohibiting commissioners, employees, and agents of the commission from wagering under certain circumstances; requiring members, employees, and agents of the commission to annually disclose certain financial interests; specifying conditions under which members, employees, and agents of the commission must immediately disclose certain financial matters, criminal matters, employment negotiations, the offering or acceptance of gifts, and the offering of a bribe; prohibiting ex parte communications between applicants or licensees and members of the commission; requiring parties to an ex parte communication to disclose the substance of the communication; authorizing the imposition of a fine on a member of the commission who fails to disclose an ex parte communication; authorizing the Commission on Ethics to investigate complaints alleging an ex parte communication; requiring the Commission on Ethics to provide a report of its findings to the Governor if it finds that a commissioner violated the prohibitions on ex parte communications; authorizing the Commission on Ethics to bring an action against a commissioner to collect any penalties assessed; prohibiting a person who participated in an ex parte communication from appearing or representing a person before the commission for a certain time; specifying grounds for removal or termination of employment of commissioners and employees who violate the laws regulating limited gaming; requiring a referendum in the county where a destination resort is to be located as a

prerequisite to the conduct of limited gaming activities; preempting the regulation of limited gaming at a destination resort to the state; requiring the commission to develop an invitation to negotiate process to award a resort license; specifying the minimum criteria that an applicant must meet to be awarded a destination resort license; specifying events that disqualify an applicant from eligibility for a resort license; specifying the information that must be on or included with an application for a resort license; specifying the amount of a nonrefundable application fee for a resort license to be used to defray the costs of an investigation of the applicant; authorizing the imposition of additional fees if the amount of the application fee is insufficient to cover the costs of the investigation; requiring the payment of a one-time licensing fee to be submitted along with an application for a resort license; requiring the executive director to notify an applicant for a resort license if the application is incomplete; authorizing the applicant to have an informal conference with the executive director to discuss an incomplete application; authorizing the executive director to grant an extension to complete an application; providing for the stay of the award of a resort license during an extension or the appeal to the commission of a finding by the executive director that an application is incomplete; exempting an institutional investor that is a qualifier for a resort licensee from certain application requirements under certain circumstances; requiring notice to the commission of any changes that may require a person to comply with the full application requirements; exempting lending institutions and underwriters from licensing requirements as a qualifier under certain circumstances; specifying conditions for a resort licensee to maintain licensure; requiring that the licensee post a bond; specifying conditions for the conduct of limited gaming by a resort licensee; requiring the commission to renew the license of a resort licensee if the licensee satisfies specified conditions; specifying an annual fee for the renewal of a resort license; imposing a tiered gross receipts tax based on the amount of a resort licensee's infrastructure costs; providing for the deposit of the tax into the Destination Resort Trust Fund; providing for certain unappropriated funds in the Destination Resort Trust Fund to be deposited into the General Revenue Fund, the Tourism Promotional Trust Fund, the Employment Security Administration Trust Fund, the Transportation Disadvantaged Trust Fund, thoroughbred permitholders, the Florida Thoroughbred Breeders and Owners Association, and the permitholders licensed to conduct live greyhound races, harness races, or jai alai licensees; providing for the proceeds of the gross receipts tax to fund the operations of the commission; providing procedures for the submission and processing of fingerprints of certain persons regulated by the commission; providing that the cost of processing the fingerprints shall be borne by a licensee or applicant; requiring a person to report to the commission certain pleas and convictions for disqualifying offenses; requiring a resort licensee to train its employees about compulsive gambling; requiring a resort licensee to work with a compulsive gambling prevention program; requiring the commission to contract for services relating to the prevention of compulsive gambling; providing for the commission's compulsive gambling prevention program to be funded from a regulatory fee imposed on resort licensees; requiring a person to have a supplier's license to furnish certain goods and services to a resort licensee; specifying the amount of the application fee for a supplier's license; specifying persons who are disqualified from receiving a supplier's license; specifying circumstances under which the commission may revoke a supplier's license; authorizing the commission to adopt rules relating to the licensing of suppliers; requiring a supplier licensee to furnish a list of gaming devices and equipment to the commission, maintain records, file quarterly returns, and affix its name to the gaming equipment and supplies that it offers; requiring that the supplier licensee annually report its inventory to the commission; authorizing the commission to revoke a supplier's license under certain circumstances; providing that the equipment of a supplier's licensee which is used in unauthorized gaming will be forfeited to the county where the equipment is found; imposing a criminal penalty on a person who knowingly makes a false statement on an application for a supplier's license; requiring a person to have an occupational license to serve as a limited gaming employee of a resort licensee; requiring a person to apply to the commission for an occupational license and pay an application fee; specifying information that an applicant must include in an application for an occupational license; specifying grounds for the commission to deny an application for an occupational license; imposing a criminal penalty on a person who knowingly makes a false statement on an application for an occupational license; authorizing the executive director of the commission to issue a temporary occupational or temporary supplier's license under certain circumstances; requiring the commission to file quarterly reports with the Governor, the President of the Senate, and

the Speaker of the House of Representatives; specifying procedures for the conduct of proceedings by the commission; authorizing the chair of the commission to assign a proceeding to less than the full commission; providing procedures for the resolution of certain disputes between a resort licensee and a patron; requiring a resort licensee to notify the commission of certain disputes with a patron involving amounts of \$500 or more; requiring a resort licensee to notify a patron of the right to file a complaint with the commission regarding certain disputes of an amount less than \$500; authorizing the commission to investigate disputes and to order a resort licensee to make a payment to a patron; providing for the enforcement of credit instruments; authorizing a resort licensee to accept an incomplete credit instrument and to complete incomplete credit instruments under certain circumstances; providing that existence of a mental disorder is not a defense or a valid counterclaim in an action to enforce a credit instrument; authorizing the commission to adopt rules prescribing the conditions under which a credit instrument may be presented to a bank; providing that a resort licensee has the right to exclude a person from its limited gaming facility; authorizing a person to request that the commission exclude her or him from limited gaming facilities; specifying the required contents of the request; providing that a self-excluded person who is found on a gaming floor may be arrested and prosecuted for criminal trespass; providing that a self-excluded person holds harmless the commission and licensees from claims for losses and damages under certain circumstances; allowing pari-mutuel facilities to conduct all games under certain conditions when a resort license to conduct limited gaming activities is authorized in Miami-Dade County or Broward County; amending s. 849.15, F.S.; authorizing slot machine gaming in a resort licensee and the transportation of slot machines pursuant to federal law; amending s. 849.231, F.S.; providing that a prohibition on gambling devices does not apply to slot machine licenses authorized under state law or limited gaming as authorized in the act; amending s. 849.25, F.S.; providing that a prohibition on gaming does not apply to limited gaming as authorized in the act; transferring all powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds for the administration of ch. 551, F.S., intact by a type two transfer from the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to the Destination Resort Commission; providing for severability; providing an effective date.

—was referred to the Committee on Budget.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed SB 1030 and SB 1044; passed SB 1012, SB 1014, SB 1016, SB 1018, SB 1020, SB 1022, SB 1024, SB 1026, SB 1028, SB 1032, SB 1034, SB 1036, SB 1038, SB 1040 and SB 1042 by the required constitutional three-fifths vote of the membership of the House.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 30 and April 5 were corrected and approved.

CO-INTRODUCERS

Senators Altman—CS for SB 524, SB 1062; Bullard—CS for CS for SB 1524; Sachs—SB 1062

RECESS

On motion by Senator Thrasher, the Senate recessed at 7:15 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, April 7 or upon call of the President.