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CALL TO ORDER

The Senate was called to order by President Gaetz at 9:30 a.m. A quorum present—38:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

PRAYER

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

Almighty God, Master of the Universe: Today let us draw inspiration from the life of Rabbi Menachem Schneersohn, the Lubavitcher Rebbe, whose birthday we mark today, the 11th day of the Hebrew month of Nissan.

Let us be inspired by his lifetime of outstanding spiritual leadership and by the 4,000 Jewish community centers worldwide, including 150 in Florida alone. These centers stand today as beacons of light because of his outreach and vision, inspiring Jews and non-Jews alike to walk and adhere to your ways. His goal was to make this world a better place, preparing it for the coming of the redemption.

This coming Monday night marks the beginning of Passover, the festival of freedom. Let us remember that freedom does not mean freedom from responsibility, but freedom to fulfill our responsibilities.

Almighty God, bless us to always remember the true meaning of freedom. Plants need soil, and animals need room to roam in order to experience their freedom, but people experience freedom when they maximize their potential to the fullest. Therefore, bless us that we may always live up to the responsibilities you have entrusted to us, to represent your word and your will in this world, thus fulfilling the purpose of our existence.

Almighty God, bless the President of the Senate, Don Gaetz, and the distinguished Senators who work tirelessly to achieve responsible freedom for all citizens of our state. Bless them and give them the strength to pass over any challenge, personal and political, and may they succeed in their noble work. Empower them to experience freedom by reaching their fullest potential to overcome every limitation and to reach the loftiest heights.

Bless us all that we may live to see the redemption of all humanity; the day when all will recognize your sovereignty, the day we shall be free of worry, war, and evil, and may that day come speedily in our days. Amen.

PLEDGE

Senate Pages, Joseph Hennessy of DeLand; Ashton Whitney of Jacksonville; Amanda Schell of Lakeland; Colton Emerson of Oviedo; and Sara Henley of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Hukill—

By Senators Hukill, Gaetz, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Bullard, Clemens, Dean, Diaz de la Portilla, Evers, Flores, Galvano, Garcia, Gardiner, Gibson, Grimsley, Hays, Joyner, Latvala, Legg, Margolis, Montford, Negron, Richter, Ring, Sachs, Simmons, Simpson, Smith, Sobel, Soto, Stargel, Thompson, and Thrasher—

SR 1740—A resolution recognizing the dedicated and inspiring Florida athletes who competed in the 2014 Winter Olympic Games in Sochi, Russia.

WHEREAS, on January 27, 2014, the 230-member 2014 United States Olympic Team was announced, consisting of 106 returning Olympians, 13 of whom were Olympic champions, and

WHEREAS, even though the Sunshine State is short on snow and ice, seven Floridians were among those selected to compete in the 2014 Winter Olympic Games, held February 7-23, 2014, and

WHEREAS, five of the seven selected athletes made their Olympic debuts, Eddy Alvarez, Nathan Bartholomay, Brittany Bowe, Joey Mantia, and Felicia Zhang; and two were returning Olympians, Chris Fogt and Lauryn Williams, and

WHEREAS, each of our athletes has an inspiring story of years of training, personal battles, dedication, sacrifice, and overcoming adversity, which has led him or her to the starting line and the chance to represent the United States on an international stage, and

WHEREAS, the United States was represented on the ice by long track speed skaters Brittany Bowe and Joey Mantia, both of Ocala in Marion County, and

WHEREAS, Brittany Bowe started skating at Skate Mania in Ocala at the age of 8, and she has since competed in inline skating world championships, where she has won a total of 32 medals, and

WHEREAS, Brittany Bowe has valued being a team player throughout her life, especially when playing basketball for Florida Atlantic University, and

WHEREAS, after graduating from college in 2010, Brittany Bowe switched from inline skating to speed skating and was on the ice for the first time that year, and

WHEREAS, after just one season on the ice, Brittany Bowe earned a spot on the United States Long Track Sprint National Team and the United States World Cup Team, and, in the 2013-2014 racing season, she was ranked second in the world in the 1,000-meter distance, and

WHEREAS, Joey Mantia became an inline speed skater at a very young age and went on to win 26 gold medals for world inline skating, and

WHEREAS, between 2003 and 2007, Joey Mantia was named American Speed Skater of the Year four times, and

WHEREAS, Joey Mantia's dream of being an Olympian led him to make the move to the ice to further challenge himself, and

WHEREAS, after his move to long track speed skating, Joey Mantia found his stride during the 2013-2014 season, claiming his first individual World Cup Gold Medal in the 1,500-meter skate, and

WHEREAS, pairs figure skaters Nathan Bartholomay and Felicia Zhang teamed up in May 2011, training 30 hours a week at the Ice and Sports Complex in Ellenton in Manatee County, and

WHEREAS, since Nathan Bartholomay and Felicia Zhang began skating together, they have earned a bronze medal at the 2013 National Championships and a silver medal at the 2014 National Championships, and

WHEREAS, Nathan Bartholomay and Felicia Zhang began skating at a young age, with Felicia beginning at the age of 7 after she attended a skating birthday party and Nathan beginning at the age of 8 after his family encouraged him to follow his sister's path and pursue skating, and

WHEREAS, before Nathan Bartholomay began skating with Felicia Zhang in 2010, he was the United States Junior Bronze Medalist, and

WHEREAS, when he is not training with Felicia Zhang, Nathan Bartholomay works part-time, takes courses in sports therapy, and coaches the next generation of skaters, and

WHEREAS, in 2008, Felicia Zhang received the United States Novice Bronze Medal as a single skater, and won the 2010 United States junior pairs title with a former partner, and

WHEREAS, Felicia Zhang is currently a student at the University of South Florida, where she studies psychology, and

WHEREAS, short track speed skater Eddy Alvarez, a Miamian from Miami-Dade County, started skating on the streets of South Beach at the age of 5, and

WHEREAS, Eddy Alvarez proved himself as someone who never gives up in the face of adversity when he underwent 5 hours of grueling surgery to repair 12 tears to his patellar tendons, and

WHEREAS, Eddy Alvarez trains 6 days a week during the season, which paid off when he became the first Cuban-American male ever to win a Winter Olympic medal, taking home the silver medal with his team in the 5,000-meter relay, and

WHEREAS, Chris Fogt, born in Orange Park in Clay County, made his Olympic debut at the 2010 Winter Olympic Games in Vancouver, British Columbia, and

WHEREAS, after competing in Vancouver, Chris Fogt spent a year deployed in Iraq as a Second Lieutenant in the Military Intelligence branch of the United States Army, and

WHEREAS, Chris Fogt began competing in the sport of bobsled in 2007, after attending a camp in Lake Placid, New York, and

WHEREAS, throughout his career, Chris Fogt has won many medals and, during the 2014 Winter Olympic Games, took home the bronze medal in the Men's Four-Man Bobsled competition, and

WHEREAS, Chris Fogt will return to active duty on May 5, 2014, and his service and sacrifice to our country are greatly appreciated, and

WHEREAS, four-time Olympian Lauryn Williams, of Miami in Miami-Dade County, graduated in 2004 from the University of Miami, and

WHEREAS, previously a track-and-field athlete competing as a sprinter, Lauryn Williams won a silver medal in the 100-meter dash at the 2004 Summer Olympic Games in Athens, Greece, and a gold medal in the 4x100-meter relay at the 2012 Summer Olympic Games in London, England, and

WHEREAS, Lauryn Williams also won a gold medal in the 100-meter dash and a gold medal in the 4x100-meter relay at the 2005 World Championships in Helsinki, Finland, and

WHEREAS, Lauryn Williams began practicing the sport of bobsled only in 2013, but she was able to bring home the silver medal in the 2014 Winter Olympic Games, making the United States the only nation to win medals in every women's bobsled Olympic event since the sport made its debut at the 2002 Winter Olympic Games in Salt Lake City, Utah, and

WHEREAS, Lauryn Williams continues to give back to the community through the Lauryn Williams Dynamic Female Athlete Scholarship Fund, which she established in 2006 to assist emerging female athletes, NOW, THEREFORE,

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

That the athletic accomplishments, sacrifice, and dedication of Florida's Olympians, Eddy Alvarez, Nathan Bartholomay, Brittany Bowe, Chris Fogt, Joey Mantia, Lauryn Williams, and Felicia Zhang, are recognized and that these talented athletes and members of the 2014 United States Olympic Team will continue to inspire others to follow their dreams.

BE IT FURTHER RESOLVED that it is recognized that the many accomplishments of the Team USA Olympians would not have been possible without the love and support of their coaches, their communities, and, most importantly, their families.

BE IT FURTHER RESOLVED that Floridians stand united in their respect and admiration for our Olympians and their achievements in the 2014 Olympic Winter Games in Sochi, Russia.

—was introduced out of order and read by title. On motion by Senator Hukill, **SR 1740** was read the second time by title and adopted.

On motion by Senator Hukill—

By Senators Hukill, Gaetz, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Bullard, Clemens, Dean, Diaz de la Portilla, Evers, Flores, Galvano, Garcia, Gardiner, Gibson, Grimsley, Hays, Joyner, Latvala, Legg, Margolis, Montford, Negron, Richter, Ring, Sachs, Simmons, Simpson, Smith, Sobel, Soto, Stargel, Thompson, and Thrasher—

SR 1744—A resolution recognizing the dedicated and inspiring Florida athletes who competed in the 2014 Winter Paralympic Games in Sochi, Russia.

WHEREAS, on February 21, 2014, The United States Olympic Committee announced the United States Paralympic Team that would compete in the 2014 Winter Paralympic Games, March 7-16, 2014, in Sochi, Russia, and

WHEREAS, the 80-member team, which included six guides for visually impaired athletes, comprised 22 women and 58 men, and

WHEREAS, Team USA's 80 athletes competed throughout the 9 days of Paralympic competition in all five sports: alpine skiing, which includes snowboarding; the biathlon; cross-country skiing; sled hockey; and wheelchair curling, and

WHEREAS, even though the Sunshine State is short on snow and ice, two Floridians, Declan Farmer and Gregory "Greg" Shaw, were among those selected to represent the United States in the 2014 Winter Paralympic Games on the Paralympic Sled Hockey Team, and

WHEREAS, the Paralympic motto is "Spirit in Motion," which captures the inspirational character of the Paralympic movement as well as the elite performance of Paralympic athletes, and

WHEREAS, Declan Farmer was born in Tampa, in Hillsborough County, with proximal femoral focal deficiency, a birth defect that affected his hips and bones in his lower legs resulting in bilateral amputation, and

WHEREAS, Declan Farmer has always had a love of competitive sports, and nothing could slow him down and he began playing sled hockey in 2006 at a clinic in Clearwater, in Pinellas County, and

WHEREAS, Declan Farmer attends Berkeley Preparatory School in Tampa, in Hillsborough County, and

WHEREAS, Declan Farmer has competed on several squads since his introduction to the sport: the Tampa Bay Lightning Sled Hockey Team, from 2007 to 2013; the Spacecoast Hurricanes Youth Sled Team, in 2011; and the Florida Bandits Sled Hockey Team, in 2012, and

WHEREAS, Declan Farmer made his international debut when he was 15 years old at the 2012 World Sledge Hockey Challenge in Calgary, Alberta, Canada, where he scored one goal and made four assists, and

WHEREAS, Declan Farmer made his Paralympic debut in 2014 as the second-youngest member of the United States Paralympic Sled Hockey Team and proved invaluable to Team USA, ranking second on the team in points and goals and tying for first in assists during the 2012-2013 season, and

WHEREAS, Greg Shaw was born in Merritt Island, in Brevard County, with sacral agenesis, a congenital condition that causes spinal deformity, but this condition has not prevented him from competing at the highest level of athletics as part of the United States Paralympic Sled Hockey Team, and

WHEREAS, Greg Shaw is a four-time International Paralympic Committee Ice Sled Hockey World Championship medalist, winning two gold medals, one silver, and one bronze, and

WHEREAS, Greg Shaw first played for the United States Paralympic Sled Hockey Team during the 2006-2007 season and was part of the gold medal-winning squad at the 2010 Vancouver Paralympic Winter Games, scoring two goals and an assist in five games, and

WHEREAS, Greg Shaw plans to enroll at the University of Central Florida to study computer science, and

WHEREAS, Greg Shaw also remains a part of the National Ability Center family, which he credits for giving him the support needed to accomplish his goals, and

WHEREAS, the 2014 United States Paralympic Sled Hockey Team became the first team in Paralympic history to win back-to-back gold medals, and

WHEREAS, the residents of Florida stand united in respect and admiration for our Paralympians and for their athletic accomplishments, sportsmanship, and dedication during the 2014 Winter Paralympic Games in Sochi, Russia, NOW, THEREFORE,

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

That the Senate congratulates the members of the United States Paralympic Team and expresses special gratitude for the dedication of Florida's participating athletes, Declan Farmer and Greg Shaw, and to everyone who supported their efforts.

—was introduced out of order and read by title. On motion by Senator Hukill, **SR 1744** was read the second time by title and adopted.

SPECIAL PRESENTATION

Senator Hukill presented a video honoring Florida athletes who competed in the 2014 Winter Olympics in Sochi, Russia.

SPECIAL GUESTS

Senator Hukill recognized Olympian Brittany Bowe who was present in the chamber. Senator Hukill also recognized Brittany Bowe's mother, Debbie Bowe, and the Mayor of Ocala, Kent Guinn, who were present in the gallery.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz
President, The Florida Senate
April 11, 2014

Dear President Gaetz:

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

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Board of Athletic Training Appointee: Christie, Kevin M., II	10/31/2017
Florida Commission on Community Service Appointees: Bonarrigo, Christina Gonzalez, Marcia C. McLeod, Michael J. Miller, Patricia Penny	09/14/2016 09/14/2016 09/14/2016 09/14/2016
Board of Trustees of Pasco-Hernando Community College Appointees: Dougherty, John A. Porton, Morris R.	05/31/2015 05/31/2017
Board of Trustees of Polk State College Appointee: Turner, Mark G.	05/31/2017
Board of Trustees of St. Johns River State College Appointee: Lagasse, Glenda Marlene	05/31/2015
Board of Dentistry Appointee: Sissine, Angela M.	10/31/2017
Board of Employee Leasing Companies Appointee: Stamatyades, Philip	10/31/2016
Board of Trustees of South Lake County Hospital District Appointee: Nussbaumer, James L.	07/05/2017
Florida Commission on Human Relations Appointees: Jenkins, Tony Steele, Rebecca E.	09/30/2014 09/30/2015
Board of Osteopathic Medicine Appointee: Janson, Alicja	10/31/2015
Board of Pharmacy Appointee: Meshad, Gavin W.	10/31/2017
Board of Podiatric Medicine Appointee: Morris, Robert Parker	10/31/2017
Board of Psychology Appointee: O'Brien, Mary Denise	10/31/2014
Florida Real Estate Appraisal Board Appointee: Roy, Michael C.	10/31/2014
Treasure Coast Regional Planning Council, Region 10 Appointee: Houston, C. Michael	10/01/2015

<i>Office and Appointment</i>	<i>For Term Ending</i>
South Florida Regional Planning Council, Region 11 Appointee: Bailey, Mario J.	10/01/2016
Jacksonville Port Authority Appointees: Fleming, Edward J., Jr. York, Joseph S.	09/30/2015 09/30/2017
Board of Veterinary Medicine Appointee: Spencer, Terry G.	10/31/2015

The following executive appointment was referred to the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development and the Senate Committee on Commerce and Tourism and the Senate Committee on Community Affairs and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Executive Director, Department of Economic Opportunity Appointee: Panuccio, Jesse	Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Capital Collateral Regional Counsel - Northern Region Appointee: Friedman, Robert	01/17/2017
Capital Collateral Regional Counsel - Middle Region Appointee: Viggiano, James Vincent, Jr.	09/30/2015
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc. Appointees: Adamiak, Robert A. Bush, Shawn D. Garey, Alan L. Holder, Carlyle I. Lukis, Vicki L. Muhammad, Tadar Nicklaus, Harry Gregg	09/30/2016 09/30/2016 09/30/2015 09/30/2017 09/30/2014 09/30/2016 09/30/2014

The following executive appointments were referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees, University of Central Florida Appointee: Martins, Alexander	01/06/2016
Board of Trustees, New College of Florida Appointee: Saputo, John W.	01/06/2018
Board of Trustees, Florida Polytechnic University Appointees: Gidel, Robert H. Hallion, Richard P., Jr.	06/30/2017 07/15/2014

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Environmental Regulation Commission Appointee: Dooley, Anna M.	07/01/2015

<i>Office and Appointment</i>	<i>For Term Ending</i>
Governing Board of the St. Johns River Water Management District Appointees: Burnett, Douglas Ghyabi, Maryam Roberts, Frederick N., Jr.	03/01/2017 03/01/2017 03/01/2015

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

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2014 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,
Jack Latvala, Chair

On motion by Senator Latvala, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee.

The vote was:
Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	
Evers	Negron	

Nays—None

Vote after roll call:

Yea—Benacquisto

VOTE PREFERENCE

Senator Joyner was recorded as voting “nay” on the appointment of Jesse Panuccio as Executive Director of the Department of Economic Opportunity.

ADOPTION OF RESOLUTIONS

On motion by Senator Garcia—

By Senator Garcia—

SR 1502—A resolution designating the week of April 7-13, 2014, as “Health Information Technology Week” in Florida.

WHEREAS, health information technology and management systems have been recognized as essential tools for improving the quality of patient care, ensuring patient safety, eliminating duplicative tests and paperwork, and reducing health care costs, and

WHEREAS, health information technology connects physicians and patients to more complete and accurate health records, and

WHEREAS, Florida has made a commitment to realizing the benefits of health information technology, including supporting the adoption of electronic health records that will help to reduce costs and improve quality while ensuring the privacy of patients, and

WHEREAS, aligning the use of electronic health records with other reporting efforts is critical to improving clinical outcomes for patients, controlling costs, and expanding access to care through the use of technology, and

WHEREAS, Florida is proud to honor the commitment and service of the clinicians, information technology executives, directors, and managers who work in the state's health care provider institutions, payor organizations, military and other branches of government, academic centers, and supplier and consulting companies, and

WHEREAS, since 2006, organizations across the country have united to support Health Information Technology Week and to expand public awareness of the benefits of the implementation of health information technology, NOW, THEREFORE,

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

That the week of April 7-13, 2014, is recognized as "Health Information Technology Week" in Florida.

—was introduced out of order and read by title. On motion by Senator Garcia, **SR 1502** was read the second time by title and adopted.

At the request of Senator Garcia—

By Senator Garcia—

SR 1490—A resolution recognizing February 2014, and each February thereafter, as "Oral Health Awareness Month" in Florida.

WHEREAS, oral health is a critical component of overall health affecting speech, nutrition, growth and function, social development, employability and productivity, and quality of life, and

WHEREAS, dental decay is the most common chronic disease among children, 4 times more common than asthma and early childhood obesity and 20 times more common than diabetes, and

WHEREAS, untreated dental disease is linked to adverse health outcomes associated with diabetes, stroke, heart disease, bacterial pneumonia, preterm and low birth weight deliveries, and, in some instances, death, and

WHEREAS, students miss more than 51 million hours of school and employed adults lose more than 164 million hours of work each year due to dental disease or dental visits, and

WHEREAS, dental decay affects 18 percent of the nation's children ages 2 to 4 years, 52 percent of children ages 6 to 8 years, and 61 percent of children at 15 years of age, and

WHEREAS, dental decay is one of the most prevalent health problems in this state, and

WHEREAS, access to dental care is associated with higher use of preventive and restorative dental services, and

WHEREAS, children from low-income households suffer more tooth decay than other children, and

WHEREAS, good oral health is critical to good overall health, NOW, THEREFORE,

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

That February 2014, and each February thereafter, is recognized as "Oral Health Awareness Month" in Florida.

—**SR 1490** was introduced, read and adopted by publication.

At the request of Senator Sobel—

By Senator Sobel—

SR 1716—A resolution commending the osteopathic physicians of this state and recognizing April 9, 2014, as "Osteopathic Medicine Day" in Florida.

WHEREAS, there are currently more than 70,000 osteopathic physicians in the United States, and

WHEREAS, osteopathic physicians provide health care services that account for more than 76 million patient visits nationwide each year, and

WHEREAS, this state has three accredited osteopathic hospitals, two osteopathic medical colleges, and the third largest osteopathic physician population in the nation, and

WHEREAS, osteopathic manipulation of the musculoskeletal system is a viable and proven technique for many diagnoses and treatments and provides an alternative to many drug therapies, and

WHEREAS, osteopathic physicians provide comprehensive medical care, including preventive medicine, medical diagnosis, and the appropriate balance of drugs, surgery, manipulation, and hospital referrals, and contribute greatly to the health and welfare of the residents of this state, NOW, THEREFORE,

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

That the osteopathic physicians of this state are commended and April 9, 2014, is recognized as "Osteopathic Medicine Day" in Florida.

—**SR 1716** was introduced, read and adopted by publication.

At the request of Senator Legg—

By Senator Legg—

SR 1720—A resolution recognizing April 9, 2014, as "Immunization and Bacterial Meningitis Awareness Day" in Florida.

WHEREAS, bacterial meningitis is a deadly, debilitating disease that affects infants, children, teenagers, young adults, and persons with compromised immune systems, and

WHEREAS, meningococcal disease is the most common cause of bacterial meningitis, and pneumococcal and Hib meningitis are two forms of the disease, which is an inflammation of the meninges, the thin membrane that covers the brain and spinal cord, and

WHEREAS, bacterial meningitis can strike an otherwise healthy person without warning and can kill or totally debilitate a healthy person within hours, and

WHEREAS, one in ten persons who contract bacterial meningitis dies, and, of those who survive, one in five persons suffers from long-term complications, which may include loss of limbs, vision, and hearing; learning and mental disabilities; paralysis; seizures; and severe organ damage, and

WHEREAS, eradication of all vaccine-preventable diseases, especially bacterial meningitis, is an achievable, pressing public health objective, with the vaccination of infants, children, teenagers, and adults a key step in prevention, and

WHEREAS, it is appropriate to honor the work of the Department of Health, the Meningitis Angels, the Pinellas Immunization Team for Community Health (PITCH), and the producers and crew of the film *Invisible Threat*, all of whom have contributed to and raised public awareness about bacterial meningitis and the importance of vaccina-

tions, while urging citizens to support the search for a cure and to assist individuals and families who deal with bacterial meningitis daily, NOW, THEREFORE,

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

That April 9, 2014, is recognized as “Immunization and Bacterial Meningitis Awareness Day” in Florida to honor those who have died and those who continue to struggle with the effects of bacterial meningitis; to advance the common goals of vaccination and immunization education; and to encourage all Floridians to work together to eradicate bacterial meningitis and other vaccine-preventable diseases.

—**SR 1720** was introduced, read and adopted by publication.

At the request of Senator Benacquisto—

By Senator Benacquisto—

SR 1732—A resolution recognizing May 2014 as “Lupus Awareness Month” in Florida.

WHEREAS, each year, the Lupus Foundation of America designates May as National Lupus Awareness Month to show support for the estimated 1.5 million Americans who have lupus, including an estimated 100,000 Floridians, and

WHEREAS, lupus is a cruel and mysterious chronic autoimmune disease in which the immune system is unbalanced, causing inflammation and tissue damage to virtually every organ system in the body, and

WHEREAS, lupus can affect any part of the body, including the skin, lungs, heart, kidneys, and brain, and no organ is spared by the disease, which can cause seizures, strokes, heart attacks, miscarriages, and organ failure, and

WHEREAS, while lupus strikes mostly women of childbearing age, no one is safe from lupus, with African Americans, Hispanics, Asians, and Native Americans two to three times more likely to develop lupus, a disparity that remains unexplained, and

WHEREAS, lupus can be particularly difficult to diagnose because its symptoms are similar to those of many other illnesses, and major gaps exist in understanding the causes and consequences of lupus, and

WHEREAS, it takes 4 or more years and three or more doctor visits before more than half of all people with lupus obtain a correct diagnosis, and

WHEREAS, only one new drug has been approved by the U.S. Food and Drug Administration specifically for lupus in more than 50 years, and current treatments for the disease can have damaging side effects, NOW, THEREFORE,

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

That May 2014 is recognized as “Lupus Awareness Month” in Florida.

—**SR 1732** was introduced, read and adopted by publication.

At the request of Senator Detert—

By Senator Detert—

SR 1736—A resolution recognizing April 19, 2014, as “World Circus Day” in Florida.

WHEREAS, the circus is a beloved and enduring art form and part of our nation’s rich cultural heritage, and

WHEREAS, for more than 200 years, the circus has entertained generations of American families with amazing feats of physical skill, comedy, theater, and music, while exposing us to the cultures and wonders of the world, and

WHEREAS, the circus continues to amaze and inspire children of all ages by bridging generations and cultures in the pursuit of the very best in circus arts and skills, and

WHEREAS, the circus plays an important role in the conservation of endangered species by exposing people to the intelligence, strength, and agility of its amazing animal partners while drawing public attention to the need to protect and preserve these species, and

WHEREAS, Florida is home to many of the best known and longest operating circuses in the nation, including Ringling Bros. and Barnum & Bailey, and is home to the nation’s longest running youth training program, the Sailor Circus, and

WHEREAS, the Circus Arts Conservatory in Southwest Florida is home to the preservation and presentation of the circus arts in the following areas: performance, training, outreach, and legacy, and

WHEREAS, Florida is also home to the John and Mable Ringling Museum of Art and the Circus Museum in Sarasota, one of the premier circus museums in the world, and

WHEREAS, the World Circus Federation was created in 2008 under the patronage of Princess Stephanie of Monaco to honor the legacy of her late father, Prince Rainier, III, a patron of circus arts and culture, and

WHEREAS, the North American delegate to the federation is the Outdoor Amusement Business Association, based in Winter Park, which represents many circuses throughout Florida and the United States, and

WHEREAS, the federation established World Circus Day as an opportunity for communities around the world to celebrate their rich circus culture and heritage, and

WHEREAS, Florida should be recognized and celebrated for its unique role as the circus capital of the world, NOW, THEREFORE,

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

That April 19, 2014, is recognized as “World Circus Day” in Florida and all Floridians are encouraged to celebrate, promote, and preserve the rich circus culture and history of this state.

—**SR 1736** was introduced, read and adopted by publication.

BILLS ON THIRD READING

Consideration of **SB 160** was deferred.

SB 1676—A bill to be entitled An act relating to the Internal Revenue Code; amending s. 220.03, F.S.; adopting the 2014 version of the code; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **SB 1676** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

SB 520—A bill to be entitled An act relating to public records; creating s. 466.051, F.S.; providing an exemption from public records requirements for information contained in dental workforce surveys submitted by dentists or dental hygienists to the Department of Health; providing exceptions to the exemption; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **SB 520** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

CS for CS for SB 536—A bill to be entitled An act relating to reclaimed water; requiring the Department of Environmental Protection to conduct a study in coordination with the stakeholders on the expansion of the beneficial use of reclaimed water, stormwater, and excess surface water and to submit a report based upon such study; providing requirements for the report; requiring the departments to provide the public an opportunity for input and for public comment; requiring that the report be submitted to the Governor and the Legislature by a specified date; providing an effective date.

—as amended April 3 was read the third time by title.

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

Amendment 1 (573812) (with title amendment)—Delete line 49 and insert:

(3) *The department shall:*

And the title is amended as follows:

Delete line 8 and insert: for the report; requiring the department to provide

On motion by Senator Simpson, **CS for CS for SB 536** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Richter

SB 856—A bill to be entitled An act relating to fraudulent transfers; amending s. 56.29, F.S.; authorizing the court to order any property, debt, or other obligation due the judgment debtor to be applied toward the satisfaction of the judgment debt; authorizing the court to entertain specified claims concerning the judgment debtor's assets and enter any order or judgment, including a money judgment; authorizing the court to enter a money judgment against an impleaded defendant under certain circumstances; providing applicability of specified laws and procedures; providing for retroactivity; amending s. 726.109, F.S.; providing that certain transfers of charitable contributions to charitable or religious organizations are exempt from s. 726.106(1), F.S.; providing an effective date.

—as amended April 3 was read the third time by title.

On motion by Senator Detert, **SB 856** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	

Nays—None

DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **SB 856** arguably provides a special private gain or loss to a principal by whom I or my spouse, parent, or child is retained or employed. The nature of the interest and the persons or entities involved are specified below:

The bill impacts the method of collection of monies due. I am filing this notice out of an abundance of caution, and believe I may vote on this matter, but will abstain.

As permitted by Senate Rule, I may vote on this matter.

Senator David Simmons, 10th District

CS for CS for SB 1036—A bill to be entitled An act relating to nursing education programs; amending s. 464.003, F.S.; revising definitions; amending s. 464.008, F.S.; requiring certain applicants for licensure to take a preparatory course; amending ss. 464.015 and 464.022, F.S.; conforming cross-references; amending s. 464.013, F.S.; exempting nurses who are certified by an accredited program from continuing education requirements; amending s. 464.019, F.S.; specifying the location of clinical training; revising the limitation on the percentage of clinical training that consists of clinical simulation; deleting obsolete requirements; providing for the recalculation of pass rates when students have been transferred from a terminated program; authorizing the Board of Nursing to adopt certain rules relating to documenting the accreditation of nursing education programs; deleting the requirement that the Office of Program Policy Analysis and Government Accountability participate in an implementation study and revising the terms of the study; requiring nursing education programs that prepare students for the practice of professional nursing to be accredited; providing an

exception; amending s. 456.014, F.S.; conforming a cross-reference; providing an effective date.

—as amended April 3 was read the third time by title.

On motion by Senator Grimsley, **CS for CS for SB 1036** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Detert

SENATOR SMITH PRESIDING

SB 1636—A bill to be entitled An act relating to renaming the Parole Commission; providing legislative findings; renaming the Parole Commission as the Florida Commission on Offender Review; providing a directive to the Division of Law Revision and Information; amending ss. 20.315, 20.32, 23.21, 98.093, 186.005, 255.502, 322.16, 394.926, 394.927, 633.304, 775.089, 775.16, 784.07, 784.078, 800.09, 843.01, 843.02, 843.08, 893.11, 921.16, 921.20, 921.21, 921.22, 940.03, 940.05, 940.061, 941.23, 943.0311, 943.06, 944.012, 944.02, 944.171, 944.4731, 945.091, 945.10, 945.47, 945.73, 947.005, 947.01, 947.02, 947.021, 947.045, 947.141, 947.146, 947.181, 947.185, 947.22, 948.09, 948.10, 949.05, 951.29, 957.06, 958.045, 960.001, 960.17, 985.04, and 985.045, F.S.; conforming provisions to changes made by the act; making technical changes; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **SB 1636** was passed and certified to the House. The vote on passage was:

Yeas—35

Abruzzo	Evers	Montford
Altman	Flores	Richter
Bean	Galvano	Ring
Benacquisto	Garcia	Sachs
Bradley	Gardiner	Simmons
Brandes	Gibson	Simpson
Braynon	Grimsley	Sobel
Bullard	Hays	Soto
Clemens	Hukill	Stargel
Dean	Joyner	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	

Nays—2

Latvala	Negron
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Vote after roll call:

Yea—Mr. President

CS for CS for HB 321—A bill to be entitled An act relating to title insurance; amending s. 625.041, F.S.; revising criteria with respect to liabilities charged against assets in determinations of financial condition; amending s. 625.111, F.S.; specifying the reserves that certain title insurers must set aside after a certain date; specifying the manner in which reserves must be released; specifying which state law governs the amount of the reserve for a title insurer who transfers domicile to this state; providing that a domestic title insurer is not required to record separate bulk reserves; revising and providing definitions; amending ss. 624.407 and 624.408, F.S.; conforming cross-references; amending s. 626.8412, F.S.; specifying that only a licensed and appointed agent or agency is authorized to sell title insurance; amending s. 626.8413, F.S.; providing additional limitations on the name that a title agent or agency may adopt; providing applicability; amending s. 626.8417, F.S.; conforming provisions to changes made by the act; amending s. 626.8418, F.S.; revising the application requirements for a title insurance agency license; deleting certain bonding requirements and procedures; amending s. 626.8419, F.S.; conforming provisions to changes made by the act; amending s. 626.8437, F.S.; revising terms relating to grounds for actions against a licensee or appointee; amending s. 627.778, F.S.; limiting the remedies available for the breach of duty arising from a title insurance contract; amending s. 627.782, F.S.; revising the date by which certain information relating to title insurance rates must be submitted to the Office of Insurance Regulation by title insurance agencies and insurers; amending s. 627.7845, F.S.; revising terms relating to determination of insurability and preservation of evidence of title search and examination; providing an effective date.

—was read the third time by title.

On motion by Senator Galvano, **CS for CS for HB 321** was passed and certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Mr. President

SB 490—A bill to be entitled An act relating to motor vehicle liability policy requirements; amending s. 627.7275, F.S.; extending the period during which the policy may be cancelled by the insurer; specifying minimum limits for such policy; deleting a provision requiring an insured who obtains additional coverage to obtain a new 6-month non-cancelable policy; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **SB 490** was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Braynon	Evers
Altman	Bullard	Flores
Bean	Clemens	Galvano
Benacquisto	Dean	Garcia
Bradley	Detert	Gardiner
Brandes	Diaz de la Portilla	Gibson

Grimsley	Montford	Smith
Hays	Negron	Sobel
Hukill	Richter	Soto
Joyner	Ring	Stargel
Latvala	Sachs	Thompson
Legg	Simmons	Thrasher
Margolis	Simpson	

Nays—None

Vote after roll call:

Yea—Mr. President

CS for CS for SB 450—A bill to be entitled An act relating to telephone solicitation; reordering and amending s. 501.059, F.S.; redefining the term “telephonic sales call”; prohibiting a telephone solicitor from transmitting certain text messages to a consumer if the consumer is on the “no sales solicitation calls” list maintained by the Department of Agriculture and Consumer Services or if the consumer has previously communicated such a request to the telephone solicitor; providing appropriations and authorizing positions; providing an effective date.

—as amended April 3 was read the third time by title.

On motion by Senator Clemens, **CS for CS for SB 450** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Mr. President

SPECIAL GUESTS

Senator Clemens introduced his son, Lucas Clemens, who was present in the chamber.

CS for SB 864—A bill to be entitled An act relating to instructional materials for K-12 public education; amending s. 1006.28, F.S.; providing that the district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students; redefining the term “adequate instructional materials”; amending s. 1006.283, F.S.; requiring a district school board or consortium of school districts to implement an instructional materials program; including criteria for the review and recommendation of instructional materials, the process by which instructional materials are adopted, and the process by which a school district will notify parents of their ability to access their children’s instructional materials in the list of the subjects that must be addressed by rule of the district school board; requiring adopted instructional materials to be provided in digital format; defining the term “digital format”; requiring the Department of Education to publish minimum, recommended technology requirements; requiring the Department of Education to publish annually a 5-year schedule of subject areas to be reviewed by local school districts, to begin by a specified date;

requiring the district to make available, upon request, sample copies of its adopted instructional materials; repealing s. 1006.29, F.S., relating to state instructional materials reviewers; amending s. 1006.30, F.S.; requiring each district instructional materials reviewer to file an affidavit with the district school board, rather than the department; amending s. 1006.31, F.S.; deleting references to the Department of Education regarding the duties of instructional materials reviewers; revising the evaluation procedure for instructional materials; amending s. 1006.32, F.S.; conforming provisions to changes made by the act; deleting references to the Commissioner of Education regarding a pilot program and the adoption of instructional materials; repealing s. 1006.33, F.S., relating to bids, proposals, and advertisement regarding the adoption of instructional materials; repealing s. 1006.34, F.S., relating to powers and duties of the Commissioner of Education and the department in selecting and adopting instructional materials; amending s. 1006.35, F.S.; requiring the district school board, rather than the commissioner, to conduct an independent investigation to determine the accuracy of district-adopted instructional materials; authorizing the district school board, rather than the commissioner, to remove materials from the list of district-adopted materials under certain circumstances; repealing s. 1006.36, F.S., relating to the term of adoption for instructional materials; amending s. 1006.37, F.S.; authorizing, rather than requiring, the district school superintendent to requisition adopted instructional materials from the depository of a publisher with whom a contract has been made or any other vendor selling the adopted instructional materials; deleting provisions regarding the superintendent’s requisition of instructional materials; conforming provisions to changes made by the act; authorizing a district school board or a consortium of school districts to requisition instructional materials from the publisher’s depository or any other vendor selling adopted instructional materials; amending s. 1006.38, F.S.; conforming provisions to changes made by the act; revising the duties, responsibilities, and requirements of instructional materials publishers and manufacturers; amending s. 1006.40, F.S.; deleting provisions regarding the adoption of instructional materials for certain core courses in the subject area of mathematics; allowing each district school board to use all of the annual allocation for the purchase of digital, rather than electronic, instructional materials that meet certain goals, objectives, and requirements; deleting provisions regarding the use of the district’s annual allocation for the purchase of instructional materials; amending s. 1006.41, F.S.; conforming provisions to changes made by the act; amending ss. 1003.621, 1006.282, and 1010.82, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for SB 864** was passed and certified to the House. The vote on passage was:

Yeas—21

Mr. President	Galvano	Legg
Altman	Gardiner	Negron
Bean	Grimsley	Richter
Benacquisto	Hays	Simmons
Bradley	Hukill	Simpson
Brandes	Latvala	Stargel
Detert	Lee	Thrasher

Nays—19

Abruzzo	Flores	Sachs
Braynon	Garcia	Smith
Bullard	Gibson	Sobel
Clemens	Joyner	Soto
Dean	Margolis	Thompson
Diaz de la Portilla	Montford	
Evers	Ring	

CS for SB 1194—A bill to be entitled An act relating to citizen support and direct-support organizations; amending s. 14.29, F.S.; providing for future review and repeal of provisions authorizing the Florida Commission on Community Service to establish and operate a direct-support organization; amending s. 16.616, F.S.; providing for future review and repeal of the direct-support organization established within the Department of Legal Affairs; creating s. 20.058, F.S.; requiring citizen

support and direct-support organizations to annually submit certain information to the appropriate agency; requiring each agency receiving such information to post submissions on the agency's website; requiring each agency receiving such information to annually submit a report to the Governor, the Legislature, and the Office of Program Policy Analysis and Government Accountability; providing report requirements; requiring that a contract between an agency and a citizen support organization or direct-support organization be contingent on disclosure requirements; requiring an agency head to terminate a contract if an organization fails to meet disclosure requirements; requiring that each citizen support organization or direct-support organization created or authorized by law be subject to legislative review and repeal; requiring that citizen support organizations or direct-support organizations in existence as of a certain date be subject to future legislative review; amending s. 20.2551, F.S.; providing for future review and repeal of the citizen support organization established within the Department of Environmental Protection; amending s. 39.0011, F.S.; providing for future review and repeal of the direct-support organization of the Office of Adoption and Child Protection; amending s. 39.8298, F.S.; providing for future review and repeal of the Statewide Guardian Ad Litem Office's authorization to create a direct-support organization; amending s. 250.115, F.S.; providing for future review and repeal of the direct-support organization of the Department of Military Affairs; amending s. 257.43, F.S.; providing for future review and repeal of the citizen support organization of the Division of Library and Information Services of the Department of State; amending s. 258.015, F.S.; providing for future review and repeal of provisions relating to citizen support organizations under the Division of Recreation and Parks of the Department of Environmental Protection; amending s. 259.10521, F.S.; providing for future review and repeal of the citizen support organization benefitting the Babcock Ranch Preserve; amending s. 265.703, F.S.; providing for future review and repeal of the citizen support organization of the Division of Cultural Affairs of the Department of State; amending s. 267.17, F.S.; providing for future review and repeal of the citizen support organization of the Division of Historical Resources of the Department of State; amending s. 288.1226, F.S.; providing for future review and repeal of the Florida Tourism Industry Marketing Corporation; amending s. 288.809, F.S.; providing for future review and repeal of the Florida Intergovernmental Relations Foundation; amending s. 288.923, F.S.; providing for future review and repeal of the Division of Tourism Marketing of Enterprise Florida, Inc.; amending s. 292.055, F.S.; providing for future review and repeal of the direct-support organization of the Department of Veterans' Affairs; amending s. 379.223, F.S.; providing for future review and repeal of the Fish and Wildlife Conservation Commission's authorization to establish citizen support organizations; amending s. 413.0111, F.S.; providing for future review and repeal of the direct-support organization of the Division of Blind Services of the Department of Education; amending s. 413.615, F.S.; providing for future review and repeal of the Florida Endowment Foundation for Vocational Rehabilitation; amending s. 430.82, F.S.; providing for future review and repeal of the Department of Elderly Affairs' authority to establish a direct-support organization; amending s. 570.903, F.S.; providing for future review and repeal of the Department of Agriculture and Consumer Services' authority to establish a direct-support organization; amending s. 570.9135, F.S.; providing for future review and repeal of the Florida Beef Council, Inc.; amending s. 626.9895, F.S.; providing for future review and repeal of the Division of Insurance Fraud of the Department of Financial Services' authority to establish a direct-support organization; amending s. 683.231, F.S.; providing for future review and repeal of the Department of Law Enforcement's authority to establish a citizen support organization for Florida Missing Children's Day; amending s. 744.7082, F.S.; providing for future review and repeal of the direct-support organization supporting the Statewide Public Guardianship Office; amending s. 893.055, F.S.; providing for future review and repeal of the Department of Health's authority to establish a direct-support organization supporting the prescription drug monitoring program; amending s. 944.802, F.S.; providing for future review and repeal of the Department of Corrections' authority to establish a direct-support organization; amending s. 960.002, F.S.; providing for future review and repeal of the Governor's authority to authorize a direct-support organization to assist victims of adult and juvenile crime; amending s. 985.672, F.S.; providing for future review and repeal of the Department of Juvenile Justice's direct-support organization; amending s. 1009.983, F.S.; providing for future review and repeal of the Florida Prepaid College Board's authority to establish a direct-support organization; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **CS for SB 1194** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 1664—A bill to be entitled An act relating to arbitration; amending s. 682.014, F.S.; correcting the description of a cross-reference; providing for retroactive application; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **SB 1664** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for SB 1450—A bill to be entitled An act relating to homeowners' association meetings; amending s. 720.303, F.S.; requiring a board meeting to be held at a location accessible to physically handicapped persons upon request of certain authorized persons; amending s. 720.306, F.S.; requiring a meeting of the members to be held at a location accessible to physically handicapped persons upon request of certain authorized persons; providing an effective date.

—as amended April 3 was read the third time by title.

On motion by Senator Simpson, **CS for SB 1450** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bradley	Dean
Abruzzo	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Benacquisto	Clemens	Flores

Galvano	Lee	Simpson
Garcia	Legg	Smith
Gardiner	Margolis	Sobel
Gibson	Montford	Soto
Grimsley	Negron	Stargel
Hays	Richter	Thompson
Hukill	Ring	Thrasher
Joyner	Sachs	
Latvala	Simmons	

Nays—None

CS for SB 1642—A bill to be entitled An act relating to education accountability; amending s. 1008.34, F.S.; providing definitions for the statewide, standardized assessment program and school grading system; deleting annual reports; revising authority over allocation of a school's budget based on school grades; revising the basis for the calculation of school grades; revising the contents of the school report card; revising the basis for the calculation of district grades; requiring the Department of Education to develop a district report card; providing for transition to the revised school grading system; amending s. 1001.42, F.S.; revising criteria that necessitate a school's improvement plan to include certain strategies; amending s. 1002.33, F.S.; revising cross-references; amending s. 1003.621, F.S.; revising cross-references; amending s. 1008.31, F.S.; revising legislative intent for the K-20 education performance accountability system; amending s. 1008.33, F.S.; conforming provisions relating to school improvement and education accountability; amending s. 1008.341, F.S.; revising provisions relating to the school improvement rating for alternative schools; amending s. 1008.3415, F.S.; correcting cross-references; amending s. 1008.22, F.S.; providing that a child with a medical complexity may be exempt from participating in statewide, standardized assessments under specified circumstances; defining the term "child with a medical complexity"; authorizing a parent to choose assessment exemption options; specifying the assessment exemption options; requiring the Commissioner of Education to report to the Legislature regarding the implementation of the exemption; amending s. 1008.345, F.S.; revising the contents of the Commissioner of Education's report on school improvement and education accountability to include student learning growth information and intervention and support strategies; amending s. 1011.64, F.S.; correcting a cross-reference; amending s. 1008.22, F.S.; authorizing use of teacher-selected or principal selected assessments as a form of local assessment; requiring a district school board to adopt policies relating to selection, development, administration, and scoring of local assessments; amending s. 1012.34, F.S.; providing information to be included in annual reports on the approval and implementation status of school district personnel evaluation systems; revising provisions relating to the measurement of student learning growth for purposes of personnel evaluation; conforming State Board of Education rulemaking relating to performance evaluations; providing for transition to new statewide, standardized assessments; authorizing bonus rewards to school districts for progress toward educator effectiveness; amending s. 1012.341, F.S.; removing rulemaking authority and establishing a compliance verification process for the exemption from performance evaluation system, compensation, and salary schedule requirements; providing an effective date.

—as amended April 3 was read the third time by title.

Senator Legg moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (261364)—Delete line 1243 and insert:

This section ~~is shall be~~ repealed August 1, 2017, unless

Amendment 2 (784440)—In title, delete line 34 and insert: of the exemption; requiring the State Board of Education to adopt rules; amending s. 1008.345, F.S.; revising

On motion by Senator Legg, **CS for SB 1642** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Altman	Benacquisto
Abruzzo	Bean	Bradley

Brandes	Gibson	Ring
Braynon	Grimsley	Sachs
Bullard	Hays	Simmons
Clemens	Hukill	Simpson
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lee	Soto
Evers	Legg	Stargel
Flores	Margolis	Thompson
Galvano	Montford	Thrasher
Garcia	Negron	
Gardiner	Richter	

Nays—None

SB 1010—A bill to be entitled An act relating to cable and video services; repealing s. 610.119, F.S., relating to reports required to be submitted to the Legislature by the Office of Program Policy Analysis and Government Accountability and the Department of Agriculture and Consumer Services on the status of competition in the cable and video service industry and the staffing requirements associated with consumer complaints related to video and cable certificateholders, respectively; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **SB 1010** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

CS for CS for SB 226—A bill to be entitled An act relating to public records; creating s. 316.0777, F.S.; providing definitions; creating a public records exemption for certain images and data obtained through the use of an automated license plate recognition system and personal identifying information of an individual in data generated from such images; providing conditions for disclosure of such images and information; providing for retroactive application of the public records exemption; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for SB 226** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Brandes	Evers
Abruzzo	Braynon	Flores
Altman	Bullard	Galvano
Bean	Clemens	Garcia
Benacquisto	Dean	Gibson
Bradley	Diaz de la Portilla	Grimsley

Hays	Montford	Smith	Simpson	Soto	Thrasher
Hukill	Negron	Sobel	Smith	Stargel	
Joyner	Richter	Soto	Sobel	Thompson	
Latvala	Ring	Stargel			
Lee	Sachs	Thompson	Nays—None		
Legg	Simmons	Thrasher			
Margolis	Simpson				

Nays—1

Detert

CS for HB 177—A bill to be entitled An act relating to public records; amending s. 365.174, F.S.; providing an exemption from public records requirements for proprietary confidential business information submitted by a wireless service provider to the Department of Revenue; authorizing the department to share such information with the Secretary of Management Services and the E911 Board; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for HB 177** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

CS for SB 358—A bill to be entitled An act relating to athletic coaches for youth athletic teams; amending s. 943.0438, F.S.; revising the definition of the term “athletic coach”; expanding provisions relating to athletic coaches for independent sanctioning authorities to require such authorities to conduct specified background screening of certain coaches of youth athletic teams; providing that the duty may not be delegated; providing for disqualification; providing for exemption from disqualification; requiring that specified documentation be maintained for a specified period by such authorities; providing an effective date.

—as amended April 3 was read the third time by title.

On motion by Senator Ring, **CS for SB 358** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Diaz de la Portilla	Latvala
Altman	Evers	Lee
Bean	Flores	Legg
Bradley	Galvano	Margolis
Brandes	Garcia	Montford
Braynon	Gibson	Negron
Bullard	Grimsley	Richter
Clemens	Hays	Ring
Dean	Hukill	Sachs
Detert	Joyner	Simmons

Vote after roll call:

Yea—Benacquisto

CS for SB 366—A bill to be entitled An act relating to public records; amending s. 815.04, F.S.; amending an exemption from public records requirements for data, programs, and supporting documentation that are trade secrets residing or existing internal or external to a computer, computer system, or computer network; expanding the exemption to include such trade secret information residing or existing internal or external to an electronic device; providing for legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for SB 366** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

CS for SB 390—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying information of specific current and former personnel of the Department of Health and the spouses and children of such personnel, under specified circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for SB 390** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	Margolis
Abruzzo	Evers	Montford
Altman	Flores	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Sachs
Brandes	Hays	Simmons
Braynon	Hukill	Simpson
Bullard	Joyner	Smith
Clemens	Latvala	Sobel
Dean	Lee	Soto
Detert	Legg	Stargel

Thompson

Nays—None

Vote after roll call:

Yea—Grimsley, Thrasher

CS for SB 398—A bill to be entitled An act relating to the Florida Tourism Hall of Fame; creating s. 265.004, F.S.; providing legislative intent; establishing the Florida Tourism Hall of Fame; providing for administration by the Florida Tourism Industry Marketing Corporation; designating a location for the display of inductee plaques; providing procedures for nomination, selection, and induction of members; providing that a person inducted before a certain date remains in the Hall of Fame; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **CS for SB 398** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for CS for SB 440—A bill to be entitled An act relating to condominiums; amending s. 718.112, F.S.; limiting the application of certain requirements relating to bylaws to residential condominiums and their associations and boards; amending s. 718.113, F.S.; limiting the application of certain requirements relating to the maintenance of residential condominiums and their associations and boards; amending s. 718.1255, F.S.; exempting nonresidential condominiums from mandatory arbitration unless specifically provided for in their declarations; amending s. 718.403, F.S., and reenacting subsection (1), relating to the authority to develop a condominium in phases; authorizing the developer to modify the plot plan as to unit or building types; limiting the circumstances under which a plot plan may be modified as to a residential condominium; specifying the provisions relating to phase condominiums that are inapplicable to nonresidential condominiums; amending s. 718.707, F.S.; extending by 1 year the time limitation for classification as a bulk assignee or bulk buyer; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for CS for SB 440** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Garcia
Abruzzo	Clemens	Gardiner
Altman	Dean	Gibson
Bean	Detert	Grimsley
Benacquisto	Diaz de la Portilla	Hays
Bradley	Evers	Hukill
Brandes	Flores	Joyner
Braynon	Galvano	Latvala

Lee

Legg

Margolis

Montford

Negron

Richter

Ring

Sachs

Simmons

Simpson

Smith

Sobel

Soto

Stargel

Thompson

Thrasher

Nays—None

SB 516—A bill to be entitled An act relating to public records; creating s. 420.6231, F.S.; creating a public records exemption for individual identifying information of a person contained in a Point-In-Time Count and Survey or data in a Homeless Management Information System; defining the term “individual identifying information”; providing for retroactive application of the exemption; specifying that the exemption does not preclude the release of aggregate information; providing for future review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **SB 516** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 538—A bill to be entitled An act relating to public records; creating s. 197.3225, F.S.; providing an exemption from public records requirements for e-mail addresses obtained by the tax collector for the purpose of electronically sending tax notices or obtaining the consent of the taxpayer to the electronic transmission of tax notices; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—as amended April 3 was read the third time by title.

On motion by Senator Latvala, **SB 538** as amended was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Detert	Joyner
Abruzzo	Diaz de la Portilla	Latvala
Altman	Evers	Lee
Bean	Flores	Legg
Benacquisto	Galvano	Margolis
Bradley	Garcia	Montford
Brandes	Gardiner	Negron
Braynon	Gibson	Richter
Bullard	Grimsley	Ring
Clemens	Hays	Sachs
Dean	Hukill	Simmons

Simpson	Soto	Thrasher
Smith	Stargel	
Sobel	Thompson	

Nays—None

CS for SB 646—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1006.52, F.S., relating to an exemption from public records requirements for post-secondary education records and applicant records; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, **CS for SB 646** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for SB 648—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1002.221, F.S., relating to an exemption from public records requirements for K-12 education records; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions to conform; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, **CS for SB 648** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

CS for SB 656—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1008.24, F.S., relating to an exemption from public records requirements for certain

information held by the Department of Education during active investigations of allegations of testing impropriety; saving the exemption from repeal under the Open Government Sunset Review Act; providing an effective date.

—was read the third time by title.

On motion by Senator Montford, **CS for SB 656** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 796—A bill to be entitled An act relating to public accountancy; amending s. 473.306, F.S.; revising course requirement for certified public accountant license applicant to take the licensure examination; requiring an applicant to be of good moral character in order to take the licensure examination; requiring the Board of Accountancy, when refusing to allow an applicant to take the examination because of a lack of good moral character, to make certain findings and furnish certain evidence and notices to the applicant; amending s. 473.313, F.S.; revising certain deadlines for license reactivation; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **SB 796** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SB 996—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 288.9551, F.S., which provides an exemption from public record and public meeting requirements for certain records and meetings of the Scripps Florida Funding Corporation; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **SB 996** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

SPECIAL ORDER CALENDAR

THE PRESIDENT PRESIDING

On motion by Senator Dean—

CS for SB 1024—A bill to be entitled An act relating to off-highway vehicles; amending s. 261.03, F.S.; revising the terms “ATV” and “ROV”; amending s. 261.20, F.S.; revising a violation for carrying an operator and more than a single passenger on certain off-highway vehicles to prohibit carrying more passengers than the vehicle is designed to carry; amending a penalty provision to apply to off-highway vehicles; amending s. 316.2074, F.S.; revising the term “all-terrain vehicle”; amending s. 317.0003, F.S.; providing an effective date.

—was read the second time by title.

Senator Dean moved the following amendment which was adopted:

Amendment 1 (258044)—In title, delete line 11 and insert: F.S.; revising the terms “ATV” and “ROV”; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 1024** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

CS for CS for SB 1070—A bill to be entitled An act relating to fuel terminals; creating s. 163.3206, F.S.; providing legislative intent; defining terms; prohibiting a local government from amending its local comprehensive plan, land use map, zoning districts, or land development regulations to make a fuel terminal a nonconforming use under the provisions thereof; requiring a local government to allow the repair of a fuel terminal damaged or destroyed by a natural disaster or other catastrophe; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1070** was placed on the calendar of Bills on Third Reading.

On motion by Senator Braynon—

CS for CS for SB 1344—A bill to be entitled An act relating to insurance; amending s. 626.8805, F.S.; revising insurance administrator application requirements; amending s. 626.8817, F.S.; authorizing an insurer's designee to provide certain coverage information to an insurance administrator; authorizing an insurer to contract a third party to conduct a review of the operations of an insurance administrator under certain circumstances; amending s. 626.882, F.S.; prohibiting a person from acting as an insurance administrator without a specific written agreement; amending s. 626.883, F.S.; requiring an insurance administrator to furnish fiduciary account records to an insurer or its designee; requiring administrator withdrawals from a fiduciary account to be made according to a specific written agreement; providing that an

insurer's designee may authorize payment of claims; amending s. 626.884, F.S.; revising an insurer's right of access to certain administrator records; amending s. 626.89, F.S.; revising the deadline for filing certain financial statements; amending s. 626.9541, F.S.; revising provisions for unfair methods of competition and unfair or deceptive acts relating to conducting certain insurance transactions through credit card facilities; amending s. 627.351, F.S.; revising the entities that make recommendations to the Chief Financial Officer for appointment to the board of governors of the Joint Underwriting Association; amending s. 627.7283, F.S.; allowing the electronic transfer of unearned premiums under specified circumstances; amending s. 631.912, F.S.; revising the appointment process for members of the board of directors of the Florida Workers' Compensation Insurance Guaranty Association; amending s. 766.315, F.S.; revising the entities that make recommendations to the Chief Financial Officer for appointment to the board of directors of the Florida Birth-Related Neurological Injury Compensation Association; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1344** was placed on the calendar of Bills on Third Reading.

On motion by Senator Thrasher—

CS for CS for SB 1524—A bill to be entitled An act relating to security of confidential personal information; providing a short title; repealing s. 817.5681, F.S., relating to a breach of security concerning confidential personal information in third-party possession; creating s. 501.171, F.S.; providing definitions; requiring specified entities to take reasonable measures to protect and secure data containing personal information in electronic form; requiring specified entities to notify the Department of Legal Affairs of data security breaches; requiring notice to individuals of data security breaches under certain circumstances; providing exceptions to notice requirements under certain circumstances; specifying contents and methods of notice; requiring notice to credit reporting agencies under certain circumstances; requiring the department to report annually to the Legislature; specifying report requirements; providing requirements for disposal of customer records; providing for enforcement actions by the department; providing civil penalties; specifying that no private cause of action is created; amending ss. 282.0041 and 282.318, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Thrasher moved the following amendment which was adopted:

Amendment 1 (831086)—Delete lines 69-77 and insert:

(I) *A social security number;*

(II) *A driver license or identification card number, passport number, military identification number, or other similar number issued on a government document used to verify identity;*

(III) *A financial account number or credit or debit card number, in combination with any required security code, access code, or password that is necessary to permit access to an individual's financial account;*

Pursuant to Rule 4.19, **CS for CS for SB 1524** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Hukill—

CS for SB 998—A bill to be entitled An act relating to estates; amending s. 732.806, F.S.; providing that certain restrictions on gifts to lawyers and other disqualified persons apply to written instruments executed on or after a specified date; providing for applicability; amending s. 733.107, F.S.; clarifying circumstances under which a burden of proof shifts in cases involving undue influence; providing for retroactive application; amending s. 733.808, F.S.; requiring that a directive to apply certain death benefits for the payment of claims and administration expenses be specified in certain instruments; providing

for retroactive application; amending s. 736.0207, F.S.; establishing which party bears the burden of proof in an action to contest the validity or revocation of a trust; providing for applicability; amending s. 736.05053, F.S.; requiring a specific directive for certain assets and death benefits to be used to pay estate expenses; providing for retroactive application; amending s. 736.1106, F.S.; providing for the vesting of outright devises in certain trust documents; providing for applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 998** was placed on the calendar of Bills on Third Reading.

CS for SR 894—A resolution expressing opposition to the academic boycott of Israeli universities and institutions of higher learning and support of academic and political freedom and collaboration with Israeli universities.

WHEREAS, Israel is the only country in the Middle East which is a democracy, and

WHEREAS, Israel is a strong ally of the United States, and this alliance is based on shared values and interests, and invaluable cooperation in military technology, cyber security, medicine, biotechnology, agriculture, bilateral trade and commerce, as well as educational, research, and cultural exchanges, and

WHEREAS, some groups have proposed an academic boycott as a means of insinuating that Israel discriminates against Palestinian Arabs, and

WHEREAS, Israeli universities are in reality open to all people, regardless of gender, creed, race, or nationality, and fully encourage academic freedom, and

WHEREAS, the academic boycott of Israeli universities and institutions of higher learning is antithetical to the principles of academic freedom and to the free and open exchange of ideas, NOW, THEREFORE,

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

That the Florida Senate stands with Israeli universities and institutions of higher learning, and stands against the academic boycott of Israeli universities, and

BE IT FURTHER RESOLVED that the Florida Senate encourages and welcomes bipartisan support in recognition of Israel’s right to academic freedom and collaboration with institutions around the world.

—was read the second time by title. On motion by Senator Sobel, **CS for SR 894** was adopted and certified to the House.

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **CS for SR 894**.

The vote was:

Yeas—36

Mr. President	Diaz de la Portilla	Negron
Abruzzo	Evers	Richter
Altman	Flores	Ring
Bean	Galvano	Sachs
Benacquisto	Garcia	Simmons
Bradley	Gibson	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Legg	Stargel
Dean	Margolis	Thompson
Detert	Montford	Thrasher

Nays—None

SENATOR BENACQUISTO PRESIDING

On motion by Senator Bradley—

CS for CS for SB 754—A bill to be entitled An act relating to certificates of destruction for motor vehicles; amending s. 319.23, F.S.; requiring the Department of Highway Safety and Motor Vehicles to visually inspect a motor vehicle that an applicant for a certificate of title has indicated is a rebuilt motor vehicle; requiring the department to issue an affidavit of compliance if the vehicle is not properly equipped; requiring an applicant to have the repaired vehicle inspected by a law enforcement agency in order to receive a certificate of title; requiring the department to provide a report regarding certificates of title for rebuilt motor vehicles; amending s. 319.30, F.S.; defining a term; revising requirements for the department to declare certain mobile homes and motor vehicles unrebuildable and to issue a certificate of destruction; requiring an owner of, or an insurance company for, a motor vehicle that is worth less than a specified amount or is above a certain age to obtain a certificate of destruction under certain circumstances; providing a criminal penalty; amending s. 860.146, F.S.; defining terms and redefining the term “fake airbag”; prohibiting the import, manufacture, offering for sale, or reinstallation of fake airbags; providing a criminal penalty; providing an effective date.

—was read the second time by title.

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (860498) (with title amendment)—Delete lines 38-69 and insert:
defined in s. 319.14. Upon issuance of a certificate of title for such vehicle, the department shall stamp, in a conspicuous place on the title, words stating the nature of the proposed use of the vehicle or stating that the vehicle has been rebuilt *and may have previously been declared a total loss vehicle due to damage*. This subsection applies to a mobile home, travel trailer, camping trailer, truck camper, or fifth-wheel recreation trailer only when the mobile home or vehicle is a rebuilt vehicle as defined in s. 319.14.

Section 2. *On or before October 31, 2015, the Department of Highway Safety and Motor Vehicles shall provide a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding certificates of title for rebuilt vehicles. The summary report shall include the department’s recommendations to the Legislature to address any needed improvements to, and correct any problems with, the process used to issue certificates of title for rebuilt motor vehicles; and recommendations as to the need, and appropriate process, for inspecting the roadworthiness of rebuilt motor vehicles based on relevant data and data on crashes caused by vehicle defects involving rebuilt motor vehicles.*

And the title is amended as follows:

Delete lines 2-11 and insert: An act relating to certificates of title; amending s. 319.23, F.S.; revising the required statement that is stamped on a certificate of title upon issuance of the certificate; requiring the

Pursuant to Rule 4.19, **CS for CS for SB 754** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 826—A bill to be entitled An act relating to trusts; amending s. 736.0703, F.S.; limiting the liability of excluded trustees; providing that certain powers to direct the actions of a trustee are not applicable under certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 826**, on motion by Senator Joyner, by two-thirds vote **CS for CS for HB 405** was withdrawn from the Committees on Judiciary; Banking and Insurance; and Rules.

On motion by Senator Joyner—

CS for CS for HB 405—A bill to be entitled An act relating to trusts; amending s. 736.0703, F.S.; limiting the liability of excluded trustees; providing that certain duties of trustees do not apply to an excluded trustee in certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 826** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 405** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

SB 374—A bill to be entitled An act relating to growth management; amending s. 163.3167, F.S.; revising restrictions on an initiative or referendum process with regard to local comprehensive plan amendments and map amendments; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 374** was placed on the calendar of Bills on Third Reading.

CS for SB 384—A bill to be entitled An act relating to juvenile sentencing; amending s. 775.082, F.S.; providing criminal sentences applicable to a person who was under the age of 18 years at the time the offense was committed; requiring a judge to consider certain factors before determining if life imprisonment is an appropriate sentence for a homicide defendant; providing for review of sentences of certain offenders who were under the age of 18 at the time of the offense; providing requirements and procedures for such reviews; amending ss. 316.3026, 373.430, 403.161, and 648.571, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 384**, on motion by Senator Bradley, by two-thirds vote **CS for HB 7035** was withdrawn from the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

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

CS for HB 7035—A bill to be entitled An act relating to juvenile sentencing; amending s. 775.082, F.S.; providing criminal penalties applicable to a juvenile offender for certain serious felonies; requiring a judge to consider specified factors before determining if life imprisonment is an appropriate sentence for a juvenile offender convicted of certain offenses; providing review of sentences for specified juvenile offenders; creating s. 921.140, F.S.; providing sentencing proceedings for determining if life imprisonment is an appropriate sentence for a juvenile offender convicted of certain offenses; providing certain factors a judge shall consider when determining if life imprisonment is appropriate for a juvenile offender; creating s. 921.1401, F.S.; defining the term “juvenile offender”; providing sentence review proceedings to be conducted after a specified period of time by the original sentencing court for juvenile offenders convicted of certain offenses; providing for subsequent reviews; requiring the Department of Corrections to notify a juvenile offender of his or her eligibility to participate in sentence review hearings; entitling a juvenile offender to be represented by counsel; providing factors that must be considered by the court in the sentence review; requiring the court to modify a juvenile offender’s sentence if certain factors are found; requiring the court to impose a term of probation for any sentence modified; requiring the court to make written findings if the court declines to modify a juvenile offender’s sentence; amending ss. 316.3026, 373.430, 403.161, and 648.571, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for SB 384** and read the second time by title.

Senators Flores and Bradley offered the following amendment which was moved by Senator Flores and adopted:

Amendment 1 (978768) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (1) and (3) of section 775.082, Florida Statutes, are amended to read:

775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain reoffenders previously released from prison.—

(1)(a) *Except as provided in paragraph (b), a person who has been convicted of a capital felony shall be punished by death if the proceeding held to determine sentence according to the procedure set forth in s. 921.141 results in findings by the court that such person shall be punished by death, otherwise such person shall be punished by life imprisonment and shall be ineligible for parole.*

(b)1. *A person who actually killed, intended to kill, or attempted to kill the victim and who is convicted under s. 782.04 of a capital felony, or an offense that was reclassified as a capital felony, which was committed before the person attained 18 years of age shall be punished by a term of imprisonment for life if, after a sentencing hearing conducted by the court in accordance with s. 921.1401, the court finds that life imprisonment is an appropriate sentence. If the court finds that life imprisonment is not an appropriate sentence, such person shall be punished by a term of imprisonment of at least 40 years. However, a person sentenced pursuant to this subparagraph is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(a). As a result of this review, the sentence may be reduced as provided in s. 921.1402(7).*

2. *A person who did not actually kill, intend to kill, or attempt to kill the victim and who is convicted under s. 782.04 of a capital felony, or an offense that was reclassified as a capital felony, which was committed before the person attained 18 years of age may be punished by a term of imprisonment for life or by a term of years equal to life if, after a sentencing hearing conducted by the court in accordance with s. 921.1401, the court finds that life imprisonment is an appropriate sentence. If the court finds that life imprisonment is not an appropriate sentence, such person shall be punished by a term of imprisonment of at least 20 years. A person who is sentenced to a term of imprisonment of more than 25 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(b).*

3. *For purposes of sentencing, in determining whether a person actually killed, intended to kill, or attempted to kill the victim, the court may find that multiple defendants killed, intended to kill, or attempted to kill the victim.*

(3) A person who has been convicted of any other designated felony may be punished as follows:

(a)1. For a life felony committed ~~before prior to~~ October 1, 1983, by a term of imprisonment for life or for a term of ~~at least years not less than~~ 30 years.

2. For a life felony committed on or after October 1, 1983, by a term of imprisonment for life or by a term of imprisonment not exceeding 40 years.

3. Except as provided in subparagraph 4., for a life felony committed on or after July 1, 1995, by a term of imprisonment for life or by imprisonment for a term of years not exceeding life imprisonment.

4.a. Except as provided in sub-subparagraph b., for a life felony committed on or after September 1, 2005, which is a violation of s. 800.04(5)(b), by:

(I) A term of imprisonment for life; or

(II) A split sentence that is a term of ~~at least not less than~~ 25 years’ imprisonment and not exceeding life imprisonment, followed by probation or community control for the remainder of the person’s natural life, as provided in s. 948.012(4).

b. For a life felony committed on or after July 1, 2008, which is a person’s second or subsequent violation of s. 800.04(5)(b), by a term of imprisonment for life.

5. *Notwithstanding subparagraphs 1.-4., a person who is convicted under s. 782.04 of an offense that was reclassified as a life felony which was committed before the person attained 18 years of age may be punished by a term of imprisonment for life or by a term of years equal to life imprisonment if the judge conducts a sentencing hearing in accordance with s. 921.1401 and finds that life imprisonment or a term of years equal to life imprisonment is an appropriate sentence.*

a. A person who actually killed, intended to kill, or attempted to kill the victim and is sentenced to a term of imprisonment of more than 25 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(b).

b. A person who did not actually kill, intend to kill, or attempt to kill the victim and is sentenced to a term of imprisonment of more than 20 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(c).

c. For purposes of sentencing, in determining whether a person actually killed, intended to kill, or attempted to kill the victim, the court may find that multiple defendants killed, intended to kill, or attempted to kill the victim.

(b)1. For a felony of the first degree, by a term of imprisonment not exceeding 30 years or, when specifically provided by statute, by imprisonment for a term of years not exceeding life imprisonment.

2. Notwithstanding subparagraph 1., a person convicted under s. 782.04 of a first-degree felony punishable by a term of years not exceeding life imprisonment, or an offense that was reclassified as a first degree felony punishable by a term of years not exceeding life, which was committed before the person attained 18 years of age may be punished by a term of years equal to life imprisonment if the judge conducts a sentencing hearing in accordance with s. 921.1401 and finds that a term of years equal to life imprisonment is an appropriate sentence.

a. A person who actually killed, intended to kill, or attempted to kill the victim and is sentenced to a term of imprisonment of more than 25 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(b).

b. A person who did not actually kill, intend to kill, or attempt to kill the victim and is sentenced to a term of imprisonment of more than 20 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(c).

c. For purposes of sentencing, in determining whether a person actually killed, intended to kill, or attempted to kill the victim, the court may find that multiple defendants killed, intended to kill, or attempted to kill the victim.

(c) Notwithstanding paragraphs (a) and (b), a person convicted of an offense that is not included in s. 782.04 but that is an offense that is a life felony or is punishable by a term of imprisonment for life or by a term of years not exceeding life imprisonment, or an offense that was reclassified as a life felony or an offense punishable by a term of imprisonment for life or by a term of years not exceeding life imprisonment, which was committed before the person attained 18 years of age may be punished by a term of imprisonment for life or a term of years equal to life imprisonment if the judge conducts a sentencing hearing in accordance with s. 921.1401 and finds that life imprisonment or a term of years equal to life imprisonment is an appropriate sentence. A person who is sentenced to a term of imprisonment of more than 20 years is entitled to a review of his or her sentence in accordance with s. 921.1402(2)(d).

(d)(~~e~~) For a felony of the second degree, by a term of imprisonment not exceeding 15 years.

(e)(~~d~~) For a felony of the third degree, by a term of imprisonment not exceeding 5 years.

Section 2. Section 921.1401, Florida Statutes, is created to read:

921.1401 Sentence of life imprisonment for persons who are under the age of 18 years at the time of the offense; sentencing proceedings.—

(1) Upon conviction or adjudication of guilt of an offense described in s. 775.082(1)(b), s. 775.082(3)(a)5., s. 775.082(3)(b)2., or s. 775.082(3)(c) which was committed on or after July 1, 2014, the court may conduct a separate sentencing hearing to determine if a term of imprisonment for life or a term of years equal to life imprisonment is an appropriate sentence.

(2) In determining whether life imprisonment or a term of years equal to life imprisonment is an appropriate sentence, the court shall consider factors relevant to the offense and the defendant's youth and attendant circumstances, including, but not limited to:

(a) The nature and circumstances of the offense committed by the defendant.

(b) The effect of the crime on the victim's family and on the community.

(c) The defendant's age, maturity, intellectual capacity, and mental and emotional health at the time of the offense.

(d) The defendant's background, including his or her family, home, and community environment.

(e) The effect, if any, of immaturity, impetuosity, or failure to appreciate risks and consequences on the defendant's participation in the offense.

(f) The extent of the defendant's participation in the offense.

(g) The effect, if any, of familial pressure or peer pressure on the defendant's actions.

(h) The nature and extent of the defendant's prior criminal history.

(i) The effect, if any, of characteristics attributable to the defendant's youth on the defendant's judgment.

(j) The possibility of rehabilitating the defendant.

Section 3. Section 921.1402, Florida Statutes, is created to read:

921.1402 Review of sentences for persons convicted of specified offenses committed while under the age of 18 years.—

(1) For purposes of this section, the term "juvenile offender" means a person sentenced to imprisonment in the custody of the Department of Corrections for an offense committed on or after July 1, 2014, and committed before he or she attained 18 years of age.

(2)(a) Except as provided in paragraph (e), a juvenile offender sentenced under s. 775.082(1)(b)1. is entitled to a review of his or her sentence after 25 years.

(b) Except as provided in paragraph (e), a juvenile offender sentenced to a term of more than 25 years under s. 775.082(1)(b)2., s. 775.082(3)(a)5.a., or s. 775.082(3)(b)2.a. is entitled to a review of his or her sentence after 25 years.

(c) Except as provided in paragraph (e), a juvenile offender sentenced to a term of more than 20 years under s. 775.082(3)(a)5.b. or s. 775.082(3)(b)2.b. is entitled to a review of his or her sentence after 20 years.

(d) A juvenile offender sentenced to a term of 20 years or more under s. 775.082(3)(c) is entitled to a review of his or her sentence after 20 years. If the juvenile offender is not resentenced at the initial review hearing, he or she is eligible for one subsequent review hearing 10 years after the initial review hearing.

(e) A juvenile offender is not entitled to a sentence review hearing under paragraph (a), paragraph (b), or paragraph (c) if, before the sentence review hearing, such offender has been adjudicated delinquent or convicted of one of the following offenses, or conspiracy to commit one of the following offenses:

1. Murder;
2. Manslaughter;
3. Sexual battery;
4. Armed burglary;
5. Armed robbery;
6. Armed carjacking;
7. Home-invasion robbery;
8. Human trafficking for commercial sexual activity with a child under 18 years of age;

9. *False imprisonment under s. 787.02(3)(a); or*

10. *Kidnapping.*

(3) *The Department of Corrections shall notify a juvenile offender of his or her eligibility to request a sentence review hearing 18 months before the juvenile offender is entitled to a sentence review hearing under this section.*

(4) *A juvenile offender seeking sentence review pursuant to subsection (2) must submit an application to the court of original jurisdiction requesting that a sentence review hearing be held. The juvenile offender must submit a new application to the court of original jurisdiction to request subsequent sentence review hearings pursuant to subsection (3). The sentencing court shall retain original jurisdiction for the duration of the sentence for this purpose.*

(5) *A juvenile offender who is eligible for a sentence review hearing under this section is entitled to be represented by counsel, and the court shall appoint a public defender to represent the juvenile offender if the juvenile offender cannot afford an attorney.*

(6) *Upon receiving an application from an eligible juvenile offender, the court of original sentencing jurisdiction shall hold a sentence review hearing to determine whether the juvenile offender's sentence should be modified. When determining if it is appropriate to modify the juvenile offender's sentence, the court shall consider any factor it deems appropriate, including all of the following:*

(a) *Whether the juvenile offender demonstrates maturity and rehabilitation.*

(b) *Whether the juvenile offender remains at the same level of risk to society as he or she did at the time of the initial sentencing.*

(c) *The opinion of the victim or the victim's next of kin. The absence of the victim or the victim's next of kin from the sentence review hearing may not be a factor in the determination of the court under this section. The court shall permit the victim or victim's next of kin to be heard, in person, in writing, or by electronic means. If the victim or the victim's next of kin chooses not to participate in the hearing, the court may consider previous statements made by the victim or the victim's next of kin during the trial, initial sentencing phase, or subsequent sentencing review hearings.*

(d) *Whether the juvenile offender was a relatively minor participant in the criminal offense or acted under extreme duress or the domination of another person.*

(e) *Whether the juvenile offender has shown sincere and sustained remorse for the criminal offense.*

(f) *Whether the juvenile offender's age, maturity, and psychological development at the time of the offense affected his or her behavior.*

(g) *Whether the juvenile offender has successfully obtained a general educational development certificate or completed another educational, technical, work, vocational, or self-rehabilitation program, if such a program is available.*

(h) *Whether the juvenile offender was a victim of sexual, physical, or emotional abuse before he or she committed the offense.*

(i) *The results of any mental health assessment, risk assessment, or evaluation of the juvenile offender as to rehabilitation.*

(7) *If the court determines at a sentence review hearing that the juvenile offender has been rehabilitated and is reasonably believed to be fit to reenter society, the court shall modify the sentence and impose a term of probation of at least 5 years. If the court determines that the juvenile offender has not demonstrated rehabilitation or is not fit to reenter society, the court shall issue a written order stating the reasons why the sentence is not being modified.*

Section 4. Subsection (2) of section 316.3026, Florida Statutes, is amended to read:

316.3026 Unlawful operation of motor carriers.—

(2) Any motor carrier enjoined or prohibited from operating by an out-of-service order by this state, any other state, or the Federal Motor Carrier Safety Administration may not operate on the roadways of this state until the motor carrier has been authorized to resume operations by the originating enforcement jurisdiction. Commercial motor vehicles owned or operated by any motor carrier prohibited from operation found on the roadways of this state shall be placed out of service by law enforcement officers of the Department of Highway Safety and Motor Vehicles, and the motor carrier assessed a \$10,000 civil penalty pursuant to 49 C.F.R. s. 383.53, in addition to any other penalties imposed on the driver or other responsible person. Any person who knowingly drives, operates, or causes to be operated any commercial motor vehicle in violation of an out-of-service order issued by the department in accordance with this section commits a felony of the third degree, punishable as provided in s. 775.082(3)(e) ~~775.082(3)(d)~~. Any costs associated with the impoundment or storage of such vehicles are the responsibility of the motor carrier. Vehicle out-of-service orders may be rescinded when the department receives proof of authorization for the motor carrier to resume operation.

Section 5. Subsection (3) of section 373.430, Florida Statutes, is amended to read:

373.430 Prohibitions, violation, penalty, intent.—

(3) Any person who willfully commits a violation specified in paragraph (1)(a) is guilty of a felony of the third degree, punishable as provided in ss. 775.082(3)(e) ~~775.082(3)(d)~~ and 775.083(1)(g), by a fine of not more than \$50,000 or by imprisonment for 5 years, or by both, for each offense. Each day during any portion of which such violation occurs constitutes a separate offense.

Section 6. Subsection (3) of section 403.161, Florida Statutes, is amended to read:

403.161 Prohibitions, violation, penalty, intent.—

(3) Any person who willfully commits a violation specified in paragraph (1)(a) is guilty of a felony of the third degree punishable as provided in ss. 775.082(3)(e) ~~775.082(3)(d)~~ and 775.083(1)(g) by a fine of not more than \$50,000 or by imprisonment for 5 years, or by both, for each offense. Each day during any portion of which such violation occurs constitutes a separate offense.

Section 7. Paragraph (c) of subsection (3) of section 648.571, Florida Statutes, is amended to read:

648.571 Failure to return collateral; penalty.—

(3)

(c) Allowable expenses incurred in apprehending a defendant because of a bond forfeiture or judgment under s. 903.29 may be deducted if such expenses are accounted for. The failure to return collateral under these terms is punishable as follows:

1. If the collateral is of a value less than \$100, as provided in s. 775.082(4)(a).

2. If the collateral is of a value of \$100 or more, as provided in s. 775.082(3)(e) ~~775.082(3)(d)~~.

3. If the collateral is of a value of \$1,500 or more, as provided in s. 775.082(3)(d) ~~775.082(3)(e)~~.

4. If the collateral is of a value of \$10,000 or more, as provided in s. 775.082(3)(b).

Section 8. This act shall take effect July 1, 2014.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to juvenile sentencing; amending s. 775.082, F.S.; providing criminal penalties applicable to a juvenile offender for certain serious felonies; requiring a judge to consider specified factors before determining if life imprisonment is an appropriate sentence for a juvenile offender convicted of certain offenses; providing review of sentences for specified juvenile offenders; creating s. 921.1401, F.S.; pro-

viding sentencing proceedings for determining if life imprisonment is an appropriate sentence for a juvenile offender convicted of certain offenses; providing certain factors a judge shall consider when determining if life imprisonment is appropriate for a juvenile offender; creating s. 921.1402, F.S.; defining the term “juvenile offender”; providing sentence review proceedings to be conducted after a specified period of time by the original sentencing court for juvenile offenders convicted of certain offenses; providing for subsequent reviews; requiring the Department of Corrections to notify a juvenile offender of his or her eligibility to participate in sentence review hearings; entitling a juvenile offender to be represented by counsel; providing factors that must be considered by the court in the sentence review; requiring the court to modify a juvenile offender’s sentence if certain factors are found; requiring the court to impose a term of probation for any sentence modified; requiring the court to make written findings if the court declines to modify a juvenile offender’s sentence; amending ss. 316.3026, 373.430, 403.161, and 648.571, F.S.; conforming cross-references; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 7035** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Bean—

CS for CS for SB 674—A bill to be entitled An act relating to background screening; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to share reproductions of driver license images with the Department of Health and the Agency for Health Care Administration for specified purposes; amending s. 402.301, F.S.; revising provisions relating to the exemption of certain membership organizations affiliated with national organizations from certain child care facility licensing requirements; requiring a level 2 background screening for an employee of such a facility under certain circumstances; amending s. 408.806, F.S.; revising the requirements for health care licensure; revising a provision requiring an affidavit; amending s. 408.809, F.S.; exempting a person whose fingerprints are already enrolled in a specified Federal Bureau of Investigation program from the requirement that such fingerprints be forwarded to the bureau; requiring certain persons to submit their fingerprints electronically; requiring the Department of Law Enforcement to retain fingerprints when the department begins participation in a certain program; revising requirements for proof of compliance with level 2 screening standards; revising terminology; adding additional disqualifying offenses to background screening requirements; adding an exemption clause from disqualification for new offenses; amending s. 413.208, F.S.; providing applicability for background screening requirements for certain registrants; repealing s. 7 of chapter 2012-73, Laws of Florida, relating to background screening requirements; amending s. 435.04, F.S.; revising information required for vendors submitting employee fingerprints; adding an additional disqualifying offense to background screening requirements; amending s. 435.05, F.S.; revising a provision requiring the annual submission of an affidavit; amending s. 435.07, F.S.; revising criteria for an exemption from disqualification for an employee under certain conditions; amending s. 435.12, F.S.; requiring the fingerprints of an employee required to be screened by a specified agency and included in the clearinghouse also to be retained in the national retained print arrest notification program at a specified time; requiring simultaneous submission of a photographic image and electronic fingerprints to the Care Provider Background Screening Clearinghouse; requiring an employer to follow certain criminal history check procedures and include specified information regarding referral and registration of an employee for electronic fingerprinting with the clearinghouse; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bean moved the following amendment which was adopted:

Amendment 1 (713514) (with title amendment)—Delete lines 136-140 and insert:
care facilities, are not subject to the licensing requirements or the minimum standards for child care facilities, and therefore, their personnel shall not be required to be screened.

And the title is amended as follows:

Delete lines 11-13 and insert: facility licensing requirements; amending s.

Pursuant to Rule 4.19, **CS for CS for SB 674** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

REMARKS

On motion by Senator Smith, the following remarks were ordered spread upon the Journal:

Senator Smith: Senator Bean, it is my understanding that the language in this amendment barcode, (713514), was agreed to by all interested parties.

Senator Bean: To the best of my knowledge, yes.

Senator Smith: Specifically, the Agency for Health Care Administration, the Department of Children and Families, and the Florida Department of Law Enforcement all agreed to this language?

Senator Bean: To the best of my knowledge, that is correct.

Senator Smith: All three agencies agreed that this language applies to the Florida Alliance of Boys and Girls Club?

Senator Bean: Yes.

On motion by Senator Bean—

CS for CS for SB 836—A bill to be entitled An act relating to medical gas; amending s. 499.001, F.S.; conforming provisions to changes made by this act; amending s. 499.003, F.S.; revising terms; amending ss. 499.01 and 499.0121, F.S.; conforming provisions to changes made by this act; amending s. 499.01211, F.S.; adding a member to the Drug Wholesale Distributor Advisory Council; authorizing the Compressed Gas Association to recommend one person to the council for appointment; amending ss. 499.041, 499.05, 499.051, 499.066, 499.0661, and 499.067, F.S.; conforming provisions to changes made by this act; creating part III of ch. 499, F.S., entitled “Medical Gas”; creating s. 499.81, F.S.; providing for the administration and enforcement of this part; creating s. 499.82, F.S.; defining terms; creating s. 499.83, F.S.; requiring a person or entity that intends to distribute medical gas within or into this state to obtain an applicable permit before operating; establishing categories of permits and setting requirements for each; creating s. 499.831, F.S.; requiring the Department of Business and Professional Regulation to establish the form and content of an application; authorizing the department to set fees within certain parameters; creating s. 499.832, F.S.; providing that a permit expires 2 years after the last day of the month in which the permit was originally issued; providing requirements for the renewal of a permit; requiring the department to adopt rules for the renewal of permits; creating s. 499.833, F.S.; authorizing the department to approve certain permitholder changes; creating s. 499.834, F.S.; authorizing the department to consider certain factors in determining the eligibility of an applicant; creating s. 499.84, F.S.; setting the minimum requirements for the storage and handling of medical gas; creating s. 499.85, F.S.; setting facility requirements for security purposes; authorizing a vehicle used for on-call delivery of oxygen USP and oxygen-related equipment to be parked at a place of residence; requiring the department to adopt rules governing the distribution of medical oxygen; creating s. 499.86, F.S.; requiring a wholesale distributor of medical gases to visually examine a medical gas container upon receipt in order to identify the medical gas stored within and to determine if the container has been damaged or is otherwise unfit for distribution; requiring a medical gas container that is damaged or otherwise unfit for distribution to be quarantined; requiring outgoing shipments of medical gas to be inspected; requiring wholesale distributors to review certain records; creating s. 499.87, F.S.; authorizing the return of medical gas that has left the control of a wholesale distributor; requiring that medical gas that is damaged, misbranded, or adulterated be quarantined from other medical gases until it is destroyed or returned to the manufacturer or wholesale distributor from which it was acquired; creating s. 499.88, F.S.; requiring a wholesale distributor to obtain certain information before the initial acquisition of a medical gas; providing certain exemptions; creating s. 499.89, F.S.; requiring a permitholder under this part to establish and maintain transactional records; providing a retention period for certain records

and requiring that such records be available for inspection during that period; creating s. 499.90, F.S.; requiring a wholesale distributor to establish, maintain, and adhere to certain written policies and procedures; creating s. 499.91, F.S.; prohibiting certain acts; creating s. 499.92, F.S.; establishing criminal penalties; authorizing property or assets subject to forfeiture to be seized pursuant to a warrant; creating s. 499.93, F.S.; authorizing the department to require a facility that engages in the manufacture, retail sale, or wholesale distribution of medical gas to undergo an inspection; authorizing the department to authorize a third party to inspect such facilities; creating s. 499.931, F.S.; providing that trade secret information required to be submitted pursuant to this part must be maintained by the department; creating s. 499.94, F.S.; requiring fees collected pursuant to this part to be deposited into the Professional Regulation Trust Fund; amending ss. 409.9201, 460.403, 465.0265, 499.01212, 499.015, and 499.024, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Senator Bean moved the following amendment which was adopted:

Amendment 1 (598242)—Delete lines 795-1447 and insert:

(b) *Sales, purchases, trades, transfers, or use of a medical gas acquired by a medical director or licensed emergency medical services provider for use by the emergency medical services provider and its permitted transport and nontransport vehicles in accordance with the provider's license under part III of chapter 401.*

(c) *The provision of emergency supplies of medical gases to nursing homes during the hours of the day when necessary medical gases cannot normally be obtained from the nursing home's regular distributors.*

(d) *The transfer of medical gases between retail pharmacies to alleviate a temporary shortage.*

(5) *"Emergency use oxygen" means oxygen USP administered in emergency situations without a prescription for oxygen deficiency and resuscitation. The container must be labeled in accordance with requirements of the United States Food and Drug Administration.*

(6) *"Federal act" means the Federal Food, Drug, and Cosmetic Act.*

(7) *"Medical gas" means a liquefied or vaporized gas that is a prescription drug, whether alone or in combination with other gases, and as defined in the federal act.*

(8) *"Medical gas-related equipment" means a device used as a component part or accessory used to contain or control the flow, delivery, or pressure during the administration of a medical gas, such as liquid oxygen base and portable units, pressure regulators and flow meters, and oxygen concentrators.*

(9) *"Misbranded" means having a label that is false or misleading; a label without the name and address of the manufacturer, packer, or distributor and without an accurate statement of the quantities of active ingredients; or a label without an accurate monograph for the medical gas, except in the case of mixtures of designated medical gases where the label identifies the component percentages of each designated medical gas used to make the mixture.*

(10) *"Medical oxygen" means oxygen USP which must be labeled in compliance with labeling requirements for oxygen under the federal act.*

(11) *"Product labeling" means the labels and other written, printed, or graphic matter upon an article, or the containers or wrappers that accompany an article, except for letters, numbers, and symbols stamped into the container as required by the federal Department of Transportation.*

(12) *"USP" means the United States Pharmacopeia.*

(13) *"USP-NF" means the United States Pharmacopeia-National Formulary.*

(14) *"Wholesale distribution" means the distribution of medical gas to a person other than a consumer or patient. Wholesale distribution of medical gases does not include:*

(a) *The sale, purchase, or trade of a medical gas; an offer to sell, purchase, or trade a medical gas; or the dispensing of a medical gas pursuant to a prescription;*

(b) *Activities exempt from the definition of wholesale distribution in s. 499.003;*

(c) *The sale, purchase, or trade of a medical gas or an offer to sell, purchase, or trade a medical gas for emergency medical reasons; or*

(d) *Other transactions excluded from the definition of wholesale distribution under the federal act or regulations implemented under the federal act related to medical gas.*

(15) *"Wholesale distributor" means any person or entity engaged in wholesale distribution of medical gas within or into this state, including, but not limited to, manufacturers; own-label distributors; private-label distributors; warehouses, including manufacturers' and distributors' warehouses; and wholesale medical gas warehouses.*

Section 15. Section 499.83, Florida Statutes, is created to read:

499.83 Permits.—

(1) *A person or entity that intends to distribute medical gas within or into this state, unless exempted under this part, must obtain the applicable permit before operating as:*

(a) *A medical gas wholesale distributor;*

(b) *A medical gas manufacturer; or*

(c) *A medical oxygen retail establishment.*

(2) *The following permits are established:*

(a) *Medical gas wholesale distributor permit.—A medical gas wholesale distributor permit is required for wholesale distribution, whether within or into this state. A medical gas must remain in the original container obtained by the wholesale distributor and the wholesale distributor may not engage in further manufacturing operations unless it possesses a medical gas manufacturer permit. A medical gas wholesale distributor may not possess or engage in the wholesale distribution of a prescription drug that is not a medical gas or distribute a medical gas other than by wholesale distribution unless otherwise authorized under this chapter.*

(b) *Medical gas manufacturer permit.—A medical gas manufacturer permit is required for a person or entity located in this state which engages in the manufacture of medical gases by physical air separation, chemical action, purification, or filling containers by a liquid-to-liquid, liquid-to-gas, or gas-to-gas process and distributes those medical gases within this state.*

1. *A permitted medical gas manufacturer may not manufacture or possess a prescription drug other than a medical gas, unless otherwise authorized under this chapter.*

2. *A permitted medical gas manufacturer may not distribute a medical gas without obtaining the applicable permit, except that it may engage in wholesale distribution of medical gases that it manufactured without obtaining a medical gas wholesale distributor permit if it complies with this part and the rules adopted under this part that apply to a wholesale distributor.*

3. *A permitted medical gas manufacturer shall comply with all of the requirements applicable to a wholesale distributor under this part and all appropriate state and federal good manufacturing practices.*

(c) *Medical oxygen retail establishment permit.—A medical oxygen retail establishment permit is required for an entity that is located in the state and that sells or delivers medical oxygen directly to patients in this state. The sale and delivery must be based on a prescription or an order from a practitioner authorized by law to prescribe. A pharmacy licensed under chapter 465 does not require a permit as a medical oxygen retail establishment.*

1. A medical oxygen retail establishment may not possess, purchase, sell, or trade a medical gas other than medical oxygen, unless otherwise authorized under this chapter.

2. A medical oxygen retail establishment may fill and deliver medical oxygen to an individual patient based on an order from a practitioner authorized by law to prescribe. The medical oxygen retail establishment must comply with all appropriate state and federal good manufacturing practices. Medical oxygen sold or delivered by a medical oxygen retail establishment pursuant to an order from a practitioner may not be returned into the retail establishment's inventory.

3. A medical oxygen retail establishment shall comply with all of the requirements applicable to a wholesale distributor under this part, except for those requirements that pertain solely to nitrous oxide.

(3) An out-of-state wholesale distributor that engages in wholesale distribution into this state must be legally authorized to engage in the wholesale distribution of medical gases as a wholesale distributor in the state in which it resides and provide proof of registration as set forth in s. 499.93(3), if required.

(4) A wholesale distributor may not operate from a place of residence, and a place of residence may not be granted a permit or operate under this part, except for the on-call delivery of home care oxygen for wholesale distributors that also maintain a medical oxygen retail establishment permit.

(5) If wholesale distribution is conducted at more than one location within this state or more than one location distributing into this state, each location must be permitted by the department.

Section 16. Section 499.831, Florida Statutes, is created to read:

499.831 *Permit application.*—

(1) The department shall adopt rules to establish the form and content of the application to obtain a permit and to renew a permit listed under this part.

(2) An applicant must be at least 18 years of age or be managed, controlled, or overseen, directly or indirectly, by a natural person who is at least 18 years of age.

(3) An application for a permit must be filed with the department and must include all of the following information:

(a) The trade or business name of the applicant, including current and former fictitious names, which may not be identical to a name used by an unrelated entity permitted in this state to dispense or distribute medical gas.

(b) The name or names of the owner and operator of the applicant, if not the same person or entity. The application must also include:

1. If the applicant is an individual, the applicant's name, business address, and date of birth.

2. If the applicant is a sole proprietorship, the business address of the sole proprietor and the name and federal employer identification number of the business entity.

3. If the applicant is a partnership, the name, business address, date of birth of each partner, the name of the partnership, and the partnership's federal employer identification number.

4. If the applicant is a limited liability company, the name, business address, and title of each company officer, the name of the limited liability company and federal employer identification number, and the name of the state in which the limited liability company was organized.

5. If the applicant is a corporation, the name, business address, and title of each corporate officer and director, the corporate names, the state of incorporation, the federal employer identification number, and, if applicable, the name and business address of the parent company.

(c) A list of disciplinary actions pertinent to wholesale distributors, manufacturers, and retailers of prescription drugs or controlled substances by a state or federal agency against the applicant seeking to

distribute into this state and any such disciplinary actions against such applicant's principals, owners, directors, or officers.

(d) A complete disclosure of all of the applicant's past felony convictions.

(e) An address and description of each facility and warehouse, including all locations used for medical gas storage or wholesale distribution including a description of each facility's security system.

(4) An applicant shall attest in writing that the information contained in its application is complete and accurate.

(5) An applicant must submit a reasonable fee, to be determined by the department, in order to obtain a permit.

(a) The fee for a medical gas wholesale distributor permit may not be less than \$200 or more than \$300 annually.

(b) The fee for a medical gas manufacturer permit may not be less than \$400 or more than \$500 annually.

(c) The fee for a medical oxygen retail establishment permit may not be less than \$200 or more than \$300 annually.

(6) Upon approval of the application by the department and payment of the required fee, the department shall issue a permit to the applicant pursuant to the rules adopted under this part.

Section 17. Section 499.832, Florida Statutes, is created to read:

499.832 *Expiration and renewal of a permit.*—

(1) A permit issued under this part automatically expires 2 years after the last day of the month in which the permit was originally issued.

(2) A permit issued under this part may be renewed by submitting an application for renewal on a form furnished by the department and paying the appropriate fee. The application for renewal must contain a statement by the applicant attesting that the information is true and correct. Upon approval of a renewal application by the department and payment of the required renewal fee, the department shall renew a permit issued under this part pursuant to the rules adopted under this part.

(3) A renewal application may be accepted up to 60 days after the expiration date of the permit if, along with the permit renewal fee, the applicant submits an additional renewal delinquent fee of \$100. A permit that expired more than 60 days before a renewal application was submitted or postmarked may not be renewed.

(4) Failure to renew a permit in accordance with this section precludes future renewal. If a permit has expired and cannot be renewed, the person, entity, or establishment holding the permit must cease all permit related activities. In order to engage in such activities, the person, entity, or establishment must submit an application for a new permit, pay the applicable application fee, the initial permit fee, and all applicable penalties, and be issued a new permit by the department before engaging in an activity that requires a permit under this part.

(5) The department shall adopt rules to administer this section, including setting a reasonable fee for a renewal application.

Section 18. Section 499.833, Florida Statutes, is created to read:

499.833 *Permitholder changes.*—

(1) A permit issued under this part is valid only for the person or entity to which it is issued and is not subject to sale, assignment, or other transfer, voluntarily or involuntarily.

(2) A permit issued under this part is not valid for an establishment other than the establishment for which it was originally issued.

(3) The department may approve the following permit changes:

(a) *Change of location.*—A person or entity permitted under this part must notify and receive approval from the department before changing location. The department shall set a change-of-location fee not to exceed \$100.

(b) *Change in ownership.*—If a majority of the ownership or controlling interest of a permitted establishment is transferred or assigned or if a lessee agrees to undertake or provide services such that legal liability for operation of the establishment will rest with the lessee, an application for a new permit is required. Such application must be submitted and approved by the department before the change of ownership takes place. However, if a permitted wholesale distributor or manufacturer is changing ownership and the new owner has held another permit that allows the wholesale distribution of medical gas under this chapter for the preceding 18 months without having been found in violation of the provisions of this chapter relating to medical gases, then the new owner may operate under the permit of the acquired entity if the new owner submits the application for a new permit by the first business day after ownership is transferred or assigned. A new owner operating under the original permit is responsible for compliance with all laws and regulations governing medical gas. If the application is denied, the new owner shall immediately cease operation at the establishment until a permit is issued to the new owner.

(c) *Change of name.*—A permitholder may make a change of business name without submitting a new permit application. However, the permitholder must notify the department before making the name change.

(d) *Closure.*—If an establishment permitted under this part closes, the owner must notify the department, in writing, before the effective date of the closure and must:

1. Return the permit to the department; and
2. Indicate the disposition of any medical gas authorized to be distributed or dispensed under the permit, including the name, address, and inventory, and provide the name and address of a person to contact regarding access to the records that are required to be maintained under this part. Transfer of ownership of medical gas may be made only to persons authorized to receive medical gas pursuant to this part.

(e) *Change in information.*—Any change in the information required under this part, other than the changes in paragraphs (a)-(d), shall be submitted to the department within 30 days after such change occurs.

(4) A permitholder in good standing may change the type of permit issued by completing a new application for the requested permit, meeting the applicable permitting requirements for the new permit type, and paying any difference between the permit fees. A refund may not be issued if the fee for the new permit is less than the fee that was paid for the original permit. The new permit retains the expiration date of the original permit.

Section 19. Section 499.834, Florida Statutes, is created to read:

499.834 Minimum qualifications.—The department shall consider all of the following factors in determining eligibility for, and renewal of, a permit for a person or entity under this part:

- (1) A finding by the department that the applicant has violated or been disciplined by a regulatory agency in any state for violating a federal, state, or local law relating to prescription drugs.
- (2) Felony convictions of the applicant under a federal, state, or local law.
- (3) The applicant's past experience in the manufacture, retail, or distribution of medical gases.
- (4) False or fraudulent material provided by the applicant in an application made in connection with the manufacturing, retailing, or distribution of prescription drugs.
- (5) Any suspension, sanction, or revocation by a federal, state, or local government against a license or permit currently or previously held by the applicant or its owners for violations of a federal, state, or local law regarding prescription drugs.
- (6) Compliance with previously granted licenses or permits.
- (7) Compliance with the requirements that distributors or retailers of medical gases maintain records and make records available to the department licensing authority or federal, state, or local law enforcement officials.

(8) Other factors or qualifications the department has established in rule that are relevant to and consistent with the public health and safety.

Section 20. Section 499.84, Florida Statutes, is created to read:

499.84 Minimum requirements for the storage and handling of medical gases.—

(1) A facility where a medical gas is received, stored, warehoused, handled, held, offered, marketed, displayed, or transported, to avoid any negative effect on the identity, strength, quality, or purity of the medical gas, must:

- (a) Be of suitable construction to ensure that medical gases are maintained in accordance with the product labeling of the medical gas or in compliance with the USP-NF;
- (b) Be of suitable size and construction to facilitate cleaning, maintenance, and proper permitted operations;
- (c) Have adequate storage areas with appropriate lighting, ventilation, space, equipment, and security conditions;
- (d) Have a quarantined area for storage of medical gases that are suspected of being misbranded, adulterated, or otherwise unfit for distribution;
- (e) Be maintained in an orderly condition;

(f) Be located in a commercial location and not in a personal dwelling or residence location, except that a personal dwelling location used for on-call delivery of oxygen USP for homecare use if the person providing on-call delivery is employed by or acting under a written contract with an entity that holds a medical oxygen retailer permit;

(g) Provide for the secure and confidential storage of patient information, if applicable, with restricted access and policies and procedures to protect the integrity and confidentiality of patient information; and

(h) Provide and maintain appropriate inventory controls to detect and document any theft of nitrous oxide.

(2) Medical gas shall be stored under appropriate conditions in accordance with the manufacturer's recommendations on product labeling and department rules or, in the absence of rules, in accordance with applicable industry standards.

(3) Medical gas shall be packaged in accordance with official compendium standards, such as the USP-NF.

Section 21. Section 499.85, Florida Statutes, is created to read:

499.85 Security.—

(1) A permitholder that has a facility used for the distribution or retailing of medical gases shall protect such gases from unauthorized access by implementing all of the following security measures:

- (a) Keeping access from outside the premises well-controlled and to a minimum.
- (b) Ensuring the outside perimeter of the premises is well lit.
- (c) Limiting access into areas where medical gases are held to authorized personnel.
- (d) Equipping all facilities with a fence or other system to detect or deter entry after hours.

(2) A facility used for distributing or retailing medical gases shall be equipped with a system that provides suitable protection against theft, including if appropriate, protection against theft of computers or electronic records and the protection of the integrity and confidentiality of data and documents.

(3) A facility used for wholesale distribution of medical gases shall be equipped with inventory management and control systems that protect against, detect, and document any instances of theft of nitrous oxide.

(4) If a wholesale distributor uses electronic distribution records, the wholesale distributor shall employ, train, and document the training of personnel in the proper use of such technology and equipment.

(5) Vehicles used for on-call delivery of oxygen USP and oxygen-related equipment for home care use by home care providers may be parked at a place of residence and must be locked and equipped with an audible alarm when not attended.

(6) The department shall adopt rules that govern the distribution of medical oxygen for emergency use by persons authorized to receive emergency use oxygen. Unless the laws of this state specifically direct otherwise, such rules must be consistent with federal regulations, including the labeling requirements of oxygen under the federal act. Such rules may not be inconsistent with part III of chapter 401 or rules adopted thereunder.

Section 22. Section 499.86, Florida Statutes, is created to read:

499.86 Examination of materials.—

(1) A wholesale distributor must visually examine a medical gas container upon receipt from the manufacturer in order to identify the medical gas stored within and to determine if the container has been damaged or is otherwise unfit for distribution. Such examination must occur in a manner that would reveal damage to the container which could suggest possible adulteration or misbranding.

(2) A medical gas container that is found to be damaged or otherwise unfit pursuant to subsection (1) must be quarantined from the stock of medical gas until a determination is made that the medical gas in question is not misbranded or adulterated.

(3) An outgoing shipment must be inspected to identify the medical gases in the shipment to ensure that medical gas containers that have been damaged in storage or held under improper conditions are not distributed or dispensed.

(4) A wholesale distributor must review records documenting the acquisition of medical gas upon receipt for accuracy and completeness.

Section 23. Section 499.87, Florida Statutes, is created to read:

499.87 Returned, damaged, and outdated medical gas.—

(1) A medical gas that has left the control of the wholesale distributor may be returned to the wholesale distributor or manufacturer from which it was acquired, but may not be resold as a medical gas unless it is reprocessed by a manufacturer using proper and adequate controls to ensure the identity, strength, quality, and purity of the reprocessed medical gas.

(2) A medical gas that has been subjected to improper conditions, such as a fire, accident, or natural disaster, may not be salvaged or reprocessed.

(3) A medical gas, including its container, which is damaged, misbranded, or adulterated must be quarantined from other medical gases until it is destroyed or returned to the manufacturer or wholesale distributor from which it was acquired. External contamination of a medical gas container or closure system which does not impact the integrity of the medical gas is not considered damaged or adulterated for purposes of this subsection. If a medical gas is adulterated or misbranded or suspected of being adulterated or misbranded, notice shall be provided to the manufacturer or wholesale distributor from which the medical gas was acquired and to the appropriate boards and federal regulatory bodies.

(4) A medical gas container that has been opened or used but is not adulterated or misbranded is considered empty and must be quarantined from nonempty medical gas containers and returned to the manufacturer or wholesale distributor from which it was acquired for destruction or reprocessing.

(5) A medical gas, its container, or its associated documentation or labeling that is suspected of being used in criminal activity must be retained until its disposition is authorized by the department or an applicable law enforcement agency.

Section 24. Section 499.88, Florida Statutes, is created to read:

499.88 Due diligence.—

(1) A wholesale distributor shall obtain, before the initial acquisition of medical gas, the following information from the supplying wholesale distributor or manufacturer:

(a) If a manufacturer is distributing to a wholesale distributor, evidence that the manufacturer is registered and the medical gas is listed with the United States Food and Drug Administration;

(b) If a wholesale distributor is distributing to a wholesale distributor, evidence that the wholesale distributor supplying the medical gas is legally authorized to distribute medical gas within or into the state;

(c) The name of the responsible facility contact person for the supplying manufacturer or wholesale distributor; and

(d) Certification that the manufacturer's or wholesale distributor's policies and procedures comply with this part.

(2) A wholesale distributor is exempt from obtaining the information from a manufacturer, as required under subsection (1), if the manufacturer is registered with the United States Food and Drug Administration in accordance with s. 510 of the federal act and the manufacturer provides:

(a) Proof of such registration; and

(b) Proof of inspection by the United States Food and Drug Administration or other regulatory body within the past 3 years demonstrating substantial compliance with current good manufacturing practices applicable to medical gases.

(3) A manufacturer or wholesale distributor that distributes to or acquires medical gas from another wholesale distributor shall provide to or obtain from the distributing or acquiring manufacturer or distributor the information required by s. 499.89(1), as applicable.

Section 25. Section 499.89, Florida Statutes, is created to read:

499.89 Recordkeeping.—

(1) A permitholder under this part shall establish and maintain a record of transactions regarding the receipt and the distribution, or other disposition, of medical gases, as applicable. Such records constitute an audit trail and must contain information sufficient to perform a recall of medical gas in compliance with 21 C.F.R. s. 211.196 and 21 C.F.R. s. 820.160(b). Such records must include all of the following information, which may be kept in two separate documents one related to the distribution of medical gas and the other related to the receipt of medical gas:

(a) The dates of receipt and distribution or other disposition of the medical gas.

(b) The name, address, license or permit number and its expiration date for the person or entity purchasing the medical gas from the wholesale distributor.

(c) The name, address, license or permit number and its expiration date for the person or entity receiving the medical gas, if different from the information required under paragraph (b).

(d) Information sufficient to perform a recall of all medical gas received, distributed, or dispensed.

(2) Such records shall be made available for inspection and copying by an authorized official of any federal, state, or local governmental agency for a period of:

(a) Three years following the distribution date of high pressure medical gases.

(b) Two years following the distribution date for cryogenic or refrigerated liquid medical gases.

(3) Records kept at the inspection site or that can be immediately retrieved by computer or other electronic means shall be readily available for authorized inspection during the retention period. Records kept at a central location apart from the inspection site and not electronically re-

trievable shall be made available for inspection within 2 working days of a request by an authorized official of any state or federal governmental agency charged with enforcement of these rules.

(4) A pedigree paper is not required for distributing or dispensing medical gas.

(5) A wholesale distributor shall maintain records sufficient to aid in the mandatory reporting of any theft, suspected theft, or other significant loss of nitrous oxide to the department and other appropriate law enforcement agencies.

Section 26. Section 499.90, Florida Statutes, is created to read:

499.90 Policies and procedures.—A wholesale distributor shall establish, maintain, and adhere to written policies and procedures for the receipt, security, storage, transport, shipping, and distribution of medical gases and shall establish, maintain, and adhere to procedures for maintaining inventories; for identifying, recording, and reporting losses or thefts; and for correcting all errors and inaccuracies in inventories associated with nitrous oxide. A wholesale distributor shall include in its written policies and procedures all of the following:

(1) A procedure for handling recalls and withdrawals of medical gas. Such procedure must deal with recalls and withdrawals due to:

(a) Action initiated at the request of the United States Food and Drug Administration or any federal, state, or local law enforcement or other government agency, including the department; or

(b) Voluntary action by a manufacturer of medical gases to remove defective or potentially defective medical gases from the market.

(2) A procedure that includes preparation for, protection against, and responding to a crisis that affects the security or operation of a facility that stores medical gases in the event of a strike; a fire, flood, or other natural disaster; or other local, state, or national emergency.

(3) A procedure for reporting criminal or suspected criminal activity involving the inventory of nitrous oxide to the department and to applicable law enforcement agencies within 3 business days after becoming aware of the criminal or suspected criminal activity.

Section 27. Section 499.91, Florida Statutes, is created to read:

499.91 Prohibited acts.—A person may not perform or cause the performance of, or aid and abet in, any of the following acts:

(1) The manufacture, sale, or delivery, or the holding or offering for sale, of a medical gas that is adulterated, misbranded, or is otherwise unfit for distribution.

(2) The adulteration or misbranding of a medical gas.

(3) The receipt of a medical gas that is adulterated, misbranded, stolen, or obtained by fraud or deceit, and the delivery or proffered delivery of such medical gas for pay or otherwise.

(4) The alteration, mutilation, destruction, obliteration, or removal of all or any part of the product labeling of a medical gas, or the willful commission of any other act with respect to a medical gas that results in it being misbranded.

(5) The purchase or receipt of a medical gas from a person not authorized to distribute or dispense medical gas or who is not exempted from permitting requirements to wholesale distribute medical gas to such purchaser or recipient.

(6) The knowing and willful sale or transfer of a medical gas to a recipient who is not legally authorized to receive a medical gas, except that a violation does not exist if a permitted wholesale distributor provides oxygen to a permitted medical oxygen retail establishment that is out of compliance with the notice of location change requirements of s. 499.834, provided that the wholesale distributor with knowledge of the violation notified the department of the transaction by the next business day.

(7) The failure to maintain or provide records required under this part and the rules adopted under this part.

(8) Providing the department or any of its representatives or any state or federal official with false or fraudulent records or making false or fraudulent statements regarding this part or the rules adopted under this part.

(9) The distribution of a medical gas that was:

(a) Purchased by a public or private hospital or other health care entity, except for the physical distribution of such medical gas to an authorized recipient at the direction of a hospital or other health care entity;

(b) Donated or supplied at a reduced price to a charitable organization; or

(c) Stolen or obtained by fraud or deceit.

(10) The failure to obtain a license or permit or operating without a valid license or permit, if one is required.

(11) The obtaining of, or attempt to obtain, a medical gas by fraud, deceit, or misrepresentation or engaging in misrepresentation or fraud in the distribution of a medical gas.

(12) Except for emergency use oxygen, the distribution of a medical gas to a patient without a prescription from a practitioner authorized by law to prescribe a medical gas.

(13) The distribution or dispensing of a medical gas that was previously dispensed by a pharmacy or a practitioner authorized by law to prescribe.

(14) The distribution or dispensing of a medical gas or medical gas-related equipment to a patient, unless the patient has been provided with the appropriate information and counseling on the use, storage, and disposal of the medical gas.

(15) Failure to report an act prohibited under this part or the rules adopted under this part.

(16) Failure to exercise due diligence as provided in s. 499.88.

Section 28. Section 499.92, Florida Statutes, is created to read:

499.92 Criminal acts.—

(1) A person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she:

(a) Adulterates or misbrands a medical gas with intent to defraud or deceive;

(b) Knowingly purchases or receives a medical gas from a person not legally authorized to distribute or dispense medical gas;

(c) Knowingly engages in the wholesale distribution of, or sells, barterers, brokers, or transfers, a medical gas to a person not legally authorized to purchase or receive medical gas in the jurisdiction in which the person receives the medical gas. A permitted wholesale distributor that provides oxygen to a permitted medical oxygen retail establishment that is out of compliance with only the change of location notice requirement under s. 499.834, does not commit a violation of this paragraph if the wholesale distributor notifies the department of the transaction no later than the next business day; or

(d) Knowingly falsely creates a label for a medical gas or knowingly misrepresents a factual matter contained in a

Pursuant to Rule 4.19, **CS for CS for SB 836** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Grimsley—

CS for CS for CS for SB 218—A bill to be entitled An act relating to transportation; amending s. 316.2397, F.S.; expanding the types of vehicles that may show or display an amber light; amending s. 335.06, F.S.; authorizing the Department of Transportation to improve and maintain roads that provide access to property within the state park system if they are part of a county road system or city street system; requiring that the

appropriate county or municipality maintain such a road if the department does not maintain it; amending s. 337.403, F.S.; providing an exception for payment of certain utility work necessitated by a project on the State Highway System for municipally owned utilities or county-owned utilities located in rural areas of critical economic concern; authorizing the Department of Transportation to pay for such costs under certain circumstances; creating s. 339.041, F.S.; providing legislative intent; describing the types of department property eligible for factoring future revenues received by the department from leases for communication facilities on department property; authorizing the department to enter into agreements with investors to purchase the revenue streams from department leases of wireless communication facilities on such property pursuant to an invitation to negotiate; prohibiting the department from pledging state credit; allowing the department to make certain covenants; providing for the appropriation and payment of moneys received from such agreements to investors; requiring the proceeds from such leases to be used for capital expenditures; amending s. 339.2818, F.S.; subject to the appropriation of specified additional funding, authorizing a municipality within a rural area of critical economic concern or a rural area of critical economic concern community to compete for certain funding; providing criteria; amending s. 479.16, F.S.; exempting certain signs from the provisions of ch. 479, F.S.; exempting from permitting certain signs placed by tourist-oriented businesses, certain farm signs placed during harvest seasons, certain acknowledgment signs on publicly funded school premises, and certain displays on specific sports facilities; providing that certain provisions relating to the regulation of signs may not be implemented or continued if such actions will adversely impact the allocation of federal funds to the Department of Transportation; directing the department to notify a sign owner that the sign must be removed within a certain timeframe if federal funds are adversely impacted; authorizing the department to remove the sign and assess costs against the sign owner under certain circumstances; amending s. 479.262, F.S.; clarifying provisions relating to the tourist-oriented directional sign program; limiting the placement of such signs to intersections on certain rural roads; prohibiting such signs in urban areas or at interchanges on freeways or expressways; providing an effective date.

—was read the second time by title.

Senator Gardiner moved the following amendment which was adopted:

Amendment 1 (410248) (with title amendment)—Between lines 84 and 85 insert:

Section 3. Subsections (4) and (5) are added to section 335.065, Florida Statutes, to read:

335.065 Bicycle and pedestrian ways along state roads and transportation facilities.—

(4) *The department may use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the cost of planning, land acquisition, design, and construction of such trails and related facilities. The department shall give funding priority to projects that:*

(a) *Are identified by the Florida Greenways and Trails Council as a priority within the Florida Greenways and Trails System under chapter 260.*

(b) *Support the transportation needs of bicyclists and pedestrians.*

(c) *Have national, statewide, or regional importance.*

(d) *Facilitate an interconnected system of trails by completing gaps between existing trails.*

(5) *A project funded under subsection (4) shall:*

(a) *Be included in the department's work program developed in accordance with s. 339.135.*

(b) *Be operated and maintained by an entity other than the department upon completion of construction. The department is not obligated to provide funds for the operation and maintenance of the project.*

And the title is amended as follows:

Delete line 11 and insert: department does not maintain it; amending s. 335.065, F.S.; authorizing the department to use appropriated funds for the establishment of a statewide system of interconnected multiuse trails; prioritizing projects for funding; requiring funded projects to be included in the department's work program; providing that the department is not responsible for or obligated to provide funds for the operation and maintenance of any such project; amending s. 337.403,

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Evers moved the following amendments which were adopted:

Amendment 2 (593196) (with title amendment)—Delete lines 85-174 and insert:

Section 3. Subsection (1) of section 337.403, Florida Statutes, is amended to read:

337.403 Interference caused by ~~relocation of~~ utility; expenses.—

(1) If a utility that is placed upon, under, over, or along any public road or publicly owned rail corridor is found by the authority to be unreasonably interfering in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor, the utility owner shall, upon 30 days' written notice to the utility or its agent by the authority, initiate the work necessary to alleviate the interference at its own expense except as provided in paragraphs (a)-(i) ~~(a)-(g)~~. The work must be completed within such reasonable time as stated in the notice or such time as agreed to by the authority and the utility owner.

(a) If the relocation of utility facilities, as referred to in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No. 84-627 ~~627 of the 84th Congress~~, is necessitated by the construction of a project on the federal-aid interstate system, including extensions thereof within urban areas, and the cost of the project is eligible and approved for reimbursement by the Federal Government to the extent of 90 percent or more under the Federal Aid Highway Act, or any amendment thereof, then in that event the utility owning or operating such facilities shall perform any necessary work upon notice from the department, and the state shall pay the entire expense properly attributable to such work after deducting therefrom any increase in the value of a new facility and any salvage value derived from an old facility.

(b) When a joint agreement between the department and the utility is executed for utility work to be accomplished as part of a contract for construction of a transportation facility, the department may participate in those utility work costs that exceed the department's official estimate of the cost of the work by more than 10 percent. The amount of such participation ~~is shall be~~ limited to the difference between the official estimate of all the work in the joint agreement plus 10 percent and the amount awarded for this work in the construction contract for such work. The department may not participate in any utility work costs that occur as a result of changes or additions during the course of the contract.

(c) When an agreement between the department and utility is executed for utility work to be accomplished in advance of a contract for construction of a transportation facility, the department may participate in the cost of clearing and grubbing necessary to perform such work.

(d) If the utility facility was initially installed to exclusively serve the authority or its tenants, or both, the authority shall bear the costs of the utility work. However, the authority is not responsible for the cost of utility work related to any subsequent additions to that facility for the purpose of serving others. *For a county or municipality, if such utility facility was installed in the right-of-way as a means to serve a county or municipal facility on a parcel of property adjacent to the right-of-way and if the intended use of the county or municipal facility is for a use other than transportation purposes, the obligation of the county or municipality to bear the costs of the utility work shall extend only to utility work on the parcel of property on which the facility of the county or municipality originally served by the utility facility is located.*

(e) If, under an agreement between a utility and the authority entered into after July 1, 2009, the utility conveys, subordinates, or relinquishes a compensable property right to the authority for the purpose of accommodating the acquisition or use of the right-of-way by the au-

thority, without the agreement expressly addressing future responsibility for the cost of necessary utility work, the authority shall bear the cost of removal or relocation. This paragraph does not impair or restrict, and may not be used to interpret, the terms of any such agreement entered into before July 1, 2009.

(f) If the utility is an electric facility being relocated underground in order to enhance vehicular, bicycle, and pedestrian safety and in which ownership of the electric facility to be placed underground has been transferred from a private to a public utility within the past 5 years, the department shall incur all costs of the necessary utility work.

(g) An authority may bear the costs of utility work required to eliminate an unreasonable interference when the utility is not able to establish that it has a compensable property right in the particular property where the utility is located if:

1. The utility was physically located on the particular property before the authority acquired rights in the property;

2. The utility demonstrates that it has a compensable property right in ~~an~~ adjacent properties along the alignment of the utility *or, after due diligence, certifies that the utility does not have evidence to prove or disprove that it has a compensable property right in the particular property where the utility is located;* and

3. The information available to the authority does not establish the relative priorities of the authority's and the utility's interests in the particular property.

(h) *If a municipally owned utility or county-owned utility is located in a rural area of critical economic concern, as defined in s. 288.0656(2), and the department determines that the utility is unable, and will not be able within the next 10 years, to pay for the cost of utility work necessitated by a department project on the State Highway System, the department may pay, in whole or in part, the cost of such utility work performed by the department or its contractor.*

(i) *If the relocation of utility facilities is necessitated by the construction of a commuter rail service project or an intercity passenger rail service project and the cost of the project is eligible and approved for reimbursement by the Federal Government, then in that event the utility owning or operating such facilities located by permit on a department-owned rail corridor shall perform any necessary utility relocation work upon notice from the department, and the department shall pay the expense properly attributable to such utility relocation work in the same proportion as federal funds are expended on the commuter rail service project or an intercity passenger rail service project after deducting therefrom any increase in the value of a new facility and any salvage value derived from an old facility. In no event shall the state be required to use state dollars for such utility relocation work. This paragraph does not apply to any phase of the Central Florida Commuter Rail project, known as SunRail.*

And the title is amended as follows:

Delete line 18 and insert: circumstances; revising certain exceptions; providing an exception for certain rail service projects; creating s. 339.041, F.S.; providing

Amendment 3 (789110) (with title amendment)—Before line 63 insert:

Section 1. Subsection (5) of section 125.42, Florida Statutes, is amended to read:

125.42 Water, sewage, gas, power, telephone, other utility, and television lines along county roads and highways.—

(5) In the event of widening, repair, or reconstruction of any such road, the licensee shall move or remove such water, sewage, gas, power, telephone, and other utility lines and television lines at no cost to the county *should they be found by the county to be unreasonably interfering*, except as provided in s. 337.403(1)(d)-(i) ~~s. 337.403(1)(e)~~.

And the title is amended as follows:

Delete line 2 and insert: An act relating to transportation; amending s. 125.42, F.S.; requiring utility and television lines to be removed from

county roads and highways at no cost to the county if the county finds the lines to be unreasonably interfering with the widening, repair, or reconstruction of any such road; providing certain exceptions; amending s.

Pursuant to Rule 4.19, **CS for CS for CS for SB 218** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

On motion by Senator Stargel—

CS for SB 692—A bill to be entitled An act relating to engineers; amending s. 471.007, F.S.; revising requirements for membership on the Board of Professional Engineers; authorizing the professional and technical engineering societies to provide a list of qualified nominees for consideration as board member appointments; providing for staggered terms; amending s. 471.013, F.S.; revising requirements for an engineer license applicant who fails the fundamentals examination; authorizing such applicant who is delayed in taking the examination by military service to have additional attempts to take the examination; amending s. 471.015, F.S.; revising requirements for obtaining a licensure by endorsement; amending s. 471.017, F.S.; revising requirements for professional development hours and license renewal for engineers; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 692** was placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel—

SB 162—A bill to be entitled An act relating to offenses against unborn children; providing a short title; amending s. 775.021, F.S.; providing a rule of construction that a person who engages in conduct that violates any provision of the Florida Criminal Code or of a criminal offense defined by another statute and causes the death of, or bodily injury to, an unborn child commits a separate offense if such an offense is not otherwise specifically provided for; providing for criminal penalties for such an offense; specifying that certain types of knowledge or intent are not necessary for such an offense; providing exceptions; providing a definition; amending ss. 316.193, 435.04, 782.071, 782.09, and 921.0022, F.S.; defining and substituting the term “unborn child” for similar terms used in provisions relating to driving under the influence, employment background screening standards, vehicular homicide, the killing of an unborn quick child by injury to the child's mother, and the offense severity ranking chart of the Criminal Punishment Code, respectively; conforming terminology; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 162** was placed on the calendar of Bills on Third Reading.

On motion by Senator Altman—

CS for CS for SB 586—A bill to be entitled An act relating to brownfields; amending s. 376.78, F.S.; revising legislative intent with regard to community revitalization in certain areas; amending s. 376.80, F.S.; revising procedures for designation of brownfield areas by local governments; providing procedures for adoption of a resolution; providing requirements for notice and public hearings; authorizing local governments to use a term other than “brownfield area” when naming such areas; amending s. 376.82, F.S.; providing an exemption from liability for property damage for entities that execute and implement certain brownfield site rehabilitation agreements; providing for applicability; providing an effective date.

—was read the second time by title.

Senator Altman moved the following amendment which was adopted:

Amendment 1 (278652)—Delete lines 224-232 and insert: *does not apply to a person who: caused the discharge or other condition of pollution at a property subject to a brownfield site rehabilitation agreement or who is otherwise liable under applicable successor liability principles; commits fraud in demonstrating site conditions or completing site rehabilitation of a property subject to a brownfield site rehabilitation agreement; or exacerbates contamination of a property subject to a brownfield site rehabilitation agreement in violation of applicable laws, which causes property damages.*

Pursuant to Rule 4.19, **CS for CS for SB 586** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 828** was deferred.

On motion by Senator Evers—

CS for CS for SB 1138—A bill to be entitled An act relating to the civil liability of farmers; amending s. 768.137, F.S.; expanding an existing exemption from civil liability for farmers who gratuitously allow a person to enter upon their land for the purpose of removing farm produce or crops left in the field after harvesting to include farmers who gratuitously allow a person to enter upon their land to remove any farm produce or crops; revising exceptions to the exemption from civil liability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1138** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for CS for SB 280—A bill to be entitled An act relating to public records; amending s. 397.334, F.S.; exempting from public records requirements information from the screenings for participation in a treatment-based drug court program, substance abuse screenings, behavioral health evaluations, and subsequent treatment status reports regarding a participant or a person considered for participation in a treatment-based program; providing for exceptions to the exemption; providing for retroactive application of the public record exemption; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 280** was placed on the calendar of Bills on Third Reading.

On motion by Senator Legg—

CS for CS for SB 850—A bill to be entitled An act relating to education; amending s. 1001.42, F.S.; requiring a school that includes certain grades to include information, data, and instructional strategies in its school improvement plan; requiring a school that includes certain grades to implement an early warning system based on indicators to identify students in need of additional academic support; amending s. 1002.32, F.S.; revising the kind of lab schools that receive a proportional share of the sparsity supplement; amending s. 1003.42, F.S.; providing State Board of Education duties relating to middle grades courses; amending s. 1003.4203, F.S.; requiring a district school board, in consultation with the district school superintendent, to make CAPE Digital Tool certificates and CAPE industry certifications available to students, including students with disabilities, in prekindergarten through grade 12, to enable students to attain digital skills; providing eligibility for additional FTE funding; requiring innovative programs and courses that combine academic and career instructional tools and industry certifications into education for both college and career preparedness; providing for additional FTE funding; providing for grade point average calculation; requiring the Department of Education to collaborate with Florida educators and school leaders to provide technical assistance to district school boards regarding implementation; authorizing public schools to provide students with access to third-party assessment centers and ca-

reer and professional academy curricula; encouraging third-party assessment providers and career and professional academy curricula providers to provide annual training; amending s. 1003.4281, F.S.; deleting calculations for paid and unpaid high school credits; amending s. 1003.4285, F.S.; revising requirements to earn a Scholar designation on a standard high school diploma; revising requirements to earn a Merit designation on a standard high school diploma; creating s. 1003.4298, F.S.; requiring the third-party assessment center providers to report return on investment to students and students' families regarding completing CAPE industry certifications and CAPE Digital Tool certificates; providing criteria for the return on investment report; amending s. 1003.4935, F.S.; authorizing additional FTE funding for certain Digital Tool certificates and industry certifications; amending s. 1003.53, F.S.; authorizing dropout prevention and academic intervention services for a student identified by a school's early warning system; amending s. 1006.135, F.S.; including middle grades schools under provisions prohibiting hazing; revising the definition of the term "hazing"; requiring a school district policy that prohibits hazing and establishes consequences for an act of hazing; revising penalty provisions and providing for applicability; creating s. 1007.273, F.S.; requiring a Florida College System institution to work with each district school board in its designated service area to establish a collegiate high school program; providing options for participation in a collegiate high school program; requiring a Florida College System institution to execute a contract with each district school board in its designated service area to establish the program; authorizing another Florida College System institution to execute a contract with the district school board in certain circumstances; requiring the contract to be executed by a specified date for the purpose of implementation; requiring Florida College System institutions to collaborate with the district school boards they enter into contracts with to establish student eligibility and procedural requirements for participation in the program; requiring that a performance contract be included in the eligibility requirements; requiring a participating district school board to include student eligibility and procedural requirements in the district's comprehensive student progression plan and to inform students and parents about the collegiate high school program; providing the calculation for funding the collegiate high school program; prohibiting a Florida College System institution from reporting certain funds for purposes of funding or receiving the standard tuition rate per credit hour for a student enrolled in a dual enrollment course at the institution unless the institution establishes a collegiate high school program; providing that certain independent colleges and universities are eligible to work with district school boards to establish a collegiate high school program; requiring such independent colleges and universities to collaborate with the district school boards they enter into contracts with to establish student eligibility and procedural requirements for participation in the program; requiring that a performance contract be included in the eligibility requirements; requiring a participating district school board to include student eligibility and procedural requirements in the district's comprehensive student progression plan and to inform students and parents about the collegiate high school program; amending s. 1008.44, F.S.; requiring the department to annually identify CAPE Digital Tool certificates and CAPE industry certifications; authorizing the Commissioner of Education to recommend adding certain certificates and certifications; providing requirements for inclusion of CAPE Digital Tool certificates and CAPE industry certifications on the funding list; authorizing the commissioner to limit certain Digital Tool certificates and CAPE industry certifications to students in certain grades; providing requirements for the Articulation Coordinating Committee; amending s. 1011.62, F.S.; specifying requirements relating to additional FTE funding based on completion of certain courses or programs and issuance of CAPE industry certification; deleting obsolete provisions; deleting provisions regarding Florida Cyber Security Recognition, Florida Digital Arts Recognition, and Florida Digital Tool Certificates; amending s. 1012.98, F.S.; providing requirements relating to professional development, including inservice plans and instructional strategies, for middle grades educators; requiring the Department of Education to disseminate professional development in the use of integrated digital instruction; providing an effective date.

—was read the second time by title.

Senator Legg moved the following amendments which were adopted:

Amendment 1 (369408) (with title amendment)—Delete lines 656-719 and insert: *board to establish the program. Each district school board must execute the contract with the local Florida College System institution under this*

section. The contract must be executed by January 1 of each school year for implementation of the program during the next school year. The contract must:

(a) Identify the grade levels to be included in the collegiate high school program which must, at a minimum, include grade 12.

(b) Describe the collegiate high school program, including the delineation of courses and industry certifications offered, including online course availability; the high school and college credits earned for each postsecondary course completed and industry certification earned; student eligibility criteria; and the enrollment process and relevant deadlines.

(c) Describe the methods, medium, and process by which students and their parents are annually informed about the availability of the collegiate high school program, the return on investment associated with participation in the program, and the information described in paragraphs (a) and (b).

(d) Identify the delivery methods for instruction and the instructors for all courses.

(e) Identify student advising services and progress monitoring mechanisms.

(f) Establish a program review and reporting mechanism regarding student performance outcomes.

(g) Describe the terms of funding arrangements to implement the collegiate high school program.

(4) Each student participating in a collegiate high school program must enter into a student performance contract which must be signed by the student, the parent, and a representative of the school district and the applicable Florida College System institution, state university, or other institution participating pursuant to subsection (7). The performance contract must include the schedule of courses, by semester, and industry certifications to be taken by the student, student attendance requirements, and course grade requirements.

(5) Each student in grade 11 or grade 12 who enrolls in the collegiate high school program and successfully completes 30 credit hours through the dual enrollment program under s. 1007.271 toward general education courses or common prerequisites pursuant to s. 1007.25, generates a 1.0 full-time equivalent (FTE) bonus. The total FTE bonus for each collegiate high school program shall be reported by each district school board that is a contractual partner with a Florida College System institution for the students from that district school board. The total FTE bonus shall be added to each school district's total weighted FTE for funding in the subsequent fiscal year. Funds shall be distributed pursuant to the collegiate high school program contract.

(6) Beginning with the 2015-2016 fiscal year, for the purpose of funding or receiving the standard tuition rate per credit hour under s. 1007.271 from funds provided in the Florida Education Finance Program or the Florida College System Program Fund, a Florida College System institution may not report a student enrolled in a dual enrollment course at the Florida College System institution unless the institution establishes a collegiate high school program.

(7) In addition to executing a contract with the local Florida College System institution under this section, a district school board may execute a contract to establish a collegiate high school program with a state university or an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, that is a nonprofit independent college or university located and chartered in this state, and that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees. Such university or institution must meet the requirements specified under subsections (3) and (4).

And the title is amended as follows:

Delete lines 69-102 and insert: requiring each district school board to execute the contract with the local Florida College System institution; requiring the contract to be executed by a specified date for the purpose of implementation; specifying information that must be included in the contract; specifying requirements for student performance contracts for

students participating in the collegiate high school program; providing the calculation for funding the collegiate high school program; prohibiting a Florida College System institution from reporting certain funds for purposes of funding or receiving the standard tuition rate per credit hour for a student enrolled in a dual enrollment course at the institution unless the institution establishes a collegiate high school program; authorizing district school boards to execute a contract with a state university or certain independent colleges and universities to establish the collegiate high school program; amending s. 1008.44, F.S.;

Amendment 2 (116574) (with title amendment)—Between lines 1147 and 1148 insert:

Section 15. *The Florida Agricultural and Mechanical University Crestview Education Center is renamed as the "Senator Durell Peaden, Jr., FAMU Educational Center."*

And the title is amended as follows:

Delete line 126 and insert: integrated digital instruction; renaming the Florida Agricultural and Mechanical University Crestview Education Center as the "Senator Durell Peaden, Jr., FAMU Educational Center"; providing an effective

Pursuant to Rule 4.19, **CS for CS for SB 850** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 546** was deferred.

SB 620—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; requiring sheriffs to charge a uniform fee for service of process; providing that such uniform fee does not include the cost of docketing; amending s. 48.031, F.S.; requiring an employer to allow an authorized individual to make service on an employee in a private area designated by the employer; providing a civil fine for employers who fail to comply with the process; revising provisions relating to substitute service if a specified number of attempts of service have been made at a business that is a sole proprietorship under certain circumstances; requiring the person requesting service or the person authorized to serve the process to file the return-of-service form; amending s. 48.081, F.S.; revising a provision related to service on a corporation; amending s. 56.27, F.S.; providing that a sheriff may rely on the affidavit submitted by the levying creditor; authorizing a sheriff to apply for instructions from the court regarding the distribution of proceeds from the sale of a levied property; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 620**, on motion by Senator Detert, by two-thirds vote **HB 627** was withdrawn from the Committees on Judiciary; and Community Affairs.

On motion by Senator Detert—

HB 627—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; requiring sheriffs to charge a uniform fee for service of process; providing that such uniform fee does not include the cost of docketing; amending s. 48.031, F.S.; requiring an employer to allow an authorized individual to make service on an employee in a private area designated by the employer; providing a civil fine for employers who fail to comply with the process; revising provisions relating to substitute service if a specified number of attempts of service have been made at a business that is a sole proprietorship under certain circumstances; requiring the person requesting service or the person authorized to serve the process to file the return-of-service form; amending s. 48.081, F.S.; revising a provision related to service on a corporation; amending s. 56.27, F.S.; providing that a sheriff may rely on the affidavit submitted by the levying creditor; authorizing a sheriff to apply for instructions from the court regarding the distribution of proceeds from the sale of a levied property; providing an effective date.

—a companion measure, was substituted for **SB 620** and read the second time by title.

Pursuant to Rule 4.19, **HB 627** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

CS for SB 1002—A bill to be entitled An act relating to public records; creating s. 559.5558, F.S.; providing a public records exemption for information held by the Office of Financial Regulation pursuant to an investigation or examination of consumer collection agencies; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1002** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

SB 1108—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to an exemption from public record requirements for personal identifying information of certain dependent children of current or former agency officers or employees; making an editorial change; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1108** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simmons—

CS for CS for SB 1300—A bill to be entitled An act relating to public records; creating s. 624.4212, F.S.; defining the term “proprietary business information”; creating an exemption from public records requirements for proprietary business information and information that is confidential when held by another entity in this state, the Federal Government, or another state or nation, and which is held by the Office of Insurance Regulation; providing exceptions; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (720938)—Delete lines 58-79 and insert:

(a) *The actuarial opinion summary required under ss. 624.424(1)(b) and 625.121(3) and information related thereto.*

(b) *A notice filed with the office by the person or affiliated person who seeks to divest controlling stock in an insurer pursuant to s. 628.461.*

(c) *The filings required under s. 628.801 and information related thereto.*

(d) *The enterprise risk report required under ss. 628.461(3) and 628.801 and information related thereto.*

(e) *Information provided to or obtained by the office pursuant to participation in a supervisory college established under s. 628.805.*

(f) *Beginning on the operative date of the valuation manual as defined in s. 625.1212(2):*

1. *An actuarial examination conducted pursuant to s. 625.1212(5)(c), and information related thereto;*

2. *The annual certification submitted by the insurer pursuant to s. 625.1212(6)(b)2., and information related thereto;*

3. *The principle-based valuation report filed pursuant to s. 625.1212(6)(b)3., and information related thereto; and*

4. *Mortality, morbidity, policyholder behavior, or expense*

Pursuant to Rule 4.19, **CS for CS for SB 1300** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

CS for CS for SB 730—A bill to be entitled An act relating to municipal governing body meetings; amending s. 166.0213, F.S.; authorizing the governing body of a municipality to hold joint meetings with the governing body of the county within which the municipality is located or the governing body of another municipality; authorizing the governing body of a municipality to prescribe the time and place of joint meetings by ordinance or resolution; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 730** was placed on the calendar of Bills on Third Reading.

SB 290—A bill to be entitled An act relating to the State Poet Laureate; amending s. 265.285, F.S.; assigning duties to the Florida Council on Arts and Culture relating to the promotion of poetry and recommendations for the appointment of the State Poet Laureate; creating s. 265.2863, F.S.; creating the honorary position of State Poet Laureate within the Department of State; establishing procedures for the acceptance of nominations, the qualifications and recommendation of nominees, and the appointment of the State Poet Laureate; providing for filling vacancies; specifying that a former poet laureate becomes a State Poet Laureate Emeritus or Emerita; providing that the State Poet Laureate, the State Poet Laureate Emeritus, and the State Poet Laureate Emerita serve without compensation; authorizing the department to adopt rules; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 290**, on motion by Senator Hukill, by two-thirds vote **HB 513** was withdrawn from the Committees on Governmental Oversight and Accountability; Education; and Rules.

On motion by Senator Hukill—

HB 513—A bill to be entitled An act relating to the State Poet Laureate; amending s. 265.285, F.S.; assigning duties to the Florida Council on Arts and Culture relating to the promotion of poetry and recommendations for the appointment of the State Poet Laureate; creating s. 265.2863, F.S.; creating the honorary position of State Poet Laureate within the Department of State; establishing procedures for the acceptance of nominations, the qualifications and recommendation of nominees, and the appointment of the State Poet Laureate; providing for filling vacancies; specifying that a former poet laureate becomes a State Poet Laureate Emeritus or Emerita; providing that the State Poet Laureate, the State Poet Laureate Emeritus, and the State Poet Laureate Emerita serve without compensation; authorizing the department to adopt rules; providing an effective date.

—a companion measure, was substituted for **SB 290** and read the second time by title.

Pursuant to Rule 4.19, **HB 513** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 592** was deferred.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Friday, April 11, 2014: **CS for CS for CS for SB 218**, **CS for SB 280**, **SB 290**, **SB 374**, **CS for SB 546**, **CS for SB 586**, **SB 620**, **CS for CS for SB 674**, **CS for SB 692**, **CS for SB 730**, **CS for SB 754**, **CS for SB**

826, CS for SB 828, CS for CS for SB 836, CS for CS for SB 850, CS for SR 894, CS for SB 998, CS for SB 1002, CS for SB 1024, CS for SB 1070, SB 1108, CS for CS for SB 1138, CS for CS for SB 1300, CS for SB 1344, CS for SB 1524, SB 162, CS for SB 384, SB 592.

Respectfully submitted,
John Thrasher, Rules Chair
Lizbeth Benacquisto, Majority Leader
Christopher L. Smith, Minority Leader

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 1234

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

The Committee on Appropriations recommends the following pass: CS for SB 834

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 1700

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

The Committee on Appropriations recommends the following pass: CS for CS for SB 132; CS for CS for SB 268; CS for SB 564; SB 724; CS for SB 726; CS for SB 1142; CS for CS for SB 1150

The bills were placed on the Calendar.

The Committee on Transportation recommends a committee substitute for the following: CS for SB 1066

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

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for SB 1050

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1550

The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Gaming recommends a committee substitute for the following: SB 742

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1624

The Committee on Transportation recommends a committee substitute for the following: SB 1618

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1354

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 762

The Committee on Rules recommends committee substitutes for the following: CS for CS for SB 602; CS for SB 608; CS for SB 764; CS for SB 1226; CS for SB 1396; CS for SB 1526

The bills with committee substitute attached were placed on the Calendar.

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Finance and Tax recommends committee substitutes for the following: CS for SB 484; SB 626; SB 1102; CS for SB 1390

Appropriations Subcommittee on General Government recommends a committee substitute for the following: CS for SB 1260

The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Commerce and Tourism—

SB 1734—A bill to be entitled An act relating to the entertainment industry; amending s. 288.125, F.S.; specifying the application of the term “entertainment industry”; transferring, renumbering, and amending s. 288.1251, F.S.; renaming the Office of Film and Entertainment within the Department of Economic Opportunity as the Division of Film and Entertainment and housing the division within Enterprise Florida, Inc.; requiring Enterprise Florida, Inc., to conduct a national search for a film commissioner; requiring the president of Enterprise Florida, Inc., to hire the film commissioner; revising the requirements of the division’s 5-year plan; transferring, renumbering, and amending s. 288.1252, F.S.; revising the powers and duties of the Florida Film and Entertainment Advisory Council; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 288.1253, F.S.; conforming provisions to changes made by the act; amending s. 288.1254, F.S.; redefining and deleting terms; requiring the department, rather than the Office of Film and Entertainment, to be responsible for applications for the entertainment industry financial incentive program; revising provisions relating to the application process, tax credit eligibility, election and distribution of tax credits, annual allocation of tax credits, forfeiture of tax credits, and annual report; extending the repeal date; conforming provisions to changes made by the act; specifying a date on which the applications on file with the department and not yet certified are deemed denied; amending s. 288.1258, F.S.; conforming provisions to changes made by the act; requiring the department to develop a standardized application form in cooperation with the division and other agencies; amending s. 288.92, F.S.; requiring Enterprise Florida, Inc., to have a division relating to film and entertainment; amending ss. 212.08, 220.1899, and 477.0135, F.S.; conforming cross-references and provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Rules; Judiciary; and Ethics and Elections; and Senator Latvala—

CS for CS for CS for SB 602—A bill to be entitled An act relating to the residency of candidates and public officers; creating ss. 99.0125 and 111.015, F.S.; requiring a candidate or public officer required to reside in a specific geographic area to have only one domicile at a time; providing factors that may be considered when determining residency; providing exceptions for active duty military members; amending ss. 14.01, 16.01, 17.02, 19.23, and 114.03, F.S.; specifying the applicability of residency requirements on the Governor and Cabinet officers; specifying that the

act does not apply to members of the Legislature; providing an effective date.

By the Committees on Rules; and Military and Veterans Affairs, Space, and Domestic Security; and Senator Hukill—

CS for CS for SB 608—A bill to be entitled An act relating to monuments on the Capitol Complex; creating s. 265.0031, F.S.; providing legislative intent; defining the term “Capitol Complex”; establishing the POW-MIA Chair of Honor Memorial; authorizing the Florida chapters of Rolling Thunder, Inc., to fund the memorial; requiring the Department of Management Services to consider recommendations of the Department of Veterans’ Affairs, the Florida chapters of Rolling Thunder, Inc., and the Florida Historical Commission, regarding specific aspects of the memorial; requiring the Department of Management Services to coordinate with the Division of Historical Resources regarding design and placement; creating s. 265.111, F.S.; defining the term “monument”; prohibiting the construction and placement of a monument on the premises of the Capitol Complex unless authorized by general law and approved by the Department of Management Services; requiring the Department of Management Services to coordinate with the Division of Historical Resources regarding design and placement of a monument; requiring the Department of Management Services to set aside an area of the Capitol Complex for a memorial garden; establishing requirements for the memorial garden; amending s. 267.0612, F.S.; revising the powers and duties of the Florida Historical Commission to conform to changes made by the act; providing for applicability; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Detert—

CS for SB 762—A bill to be entitled An act relating to family care councils; amending s. 393.502, F.S.; revising the membership of the family care council within each service area of the Agency for Persons with Disabilities; requiring consent of a grandchild’s parent or legal guardian for appointment of a grandparent to a family care council; requiring the parent or legal guardian to provide notice of consent to the agency; providing an effective date.

By the Committees on Rules; and Judiciary; and Senator Detert—

CS for CS for SB 764—A bill to be entitled An act relating to hearsay; amending s. 90.803, F.S.; providing that certain statements are an exception to the hearsay rule and thus admissible; providing an effective date.

By the Committees on Transportation; and Health Policy; and Senator Grimsley—

CS for CS for SB 1066—A bill to be entitled An act relating to the Department of Health; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide reproductions of specified records to the Department of Health under certain circumstances; amending s. 381.004, F.S.; revising and providing definitions; specifying the notification and consent procedures for performing an HIV test in a health care setting and a nonhealth care setting; amending s. 381.7355, F.S.; adding a requirement for project proposals under the grant program to address racial and ethnic disparities in morbidity and mortality rates relating to sickle cell disease; amending s. 395.3025, F.S.; clarifying duties of the Department of Health to maintain the confidentiality of patient records that it obtains under subpoena pursuant to an investigation; authorizing licensees under investigation to inspect or receive copies of patient records connected with the investigation, subject to certain conditions; amending s. 456.013, F.S.; deleting requirements for the physical size of licenses issued for various health professions; amending s. 456.025, F.S.; deleting a fee provision for the issuance of wall certificates for various health profession licenses; authorizing the boards or the department to adopt rules waiving certain fees for a specified period in certain circumstances; amending s. 458.319, F.S.; providing continuing medical education requirements for Board of Medicine licensees; authorizing the board to adopt rules; amending s. 458.3485, F.S.; deleting language relating to the certification and registration of medical assistants; amending s. 464.203, F.S.; revising

certified nursing assistant inservice training requirements; repealing s. 464.2085, F.S., relating to the creation, membership, and duties of the Council on Certified Nursing Assistants; amending s. 466.032, F.S.; deleting a requirement that the department provide certain notice to a dental laboratory operator who fails to renew her or his registration; amending s. 467.009, F.S.; updating the name of the organization that accredits certain midwifery programs; amending s. 468.1665, F.S.; increasing the number of members of the Board of Nursing Home Administrators who must be licensed nursing home administrators and decreasing the number of members who must be health care practitioners; amending s. 468.1695, F.S.; revising the qualifications of applicants who may sit for the licensed nursing home administrator examination to include an applicant with a master’s degree in certain subjects; repealing s. 468.1735, F.S., relating to provisional licenses for nursing home administrators; amending ss. 468.503 and 468.505, F.S.; revising the organization with whom an individual must be registered to be a registered dietitian; revising a definition; amending ss. 480.033 and 480.041, F.S.; deleting provisions relating to massage therapy apprentices and apprenticeship programs; deleting a definition and revising licensure requirements for massage therapists, to conform; amending s. 480.042, F.S.; revising requirements for conducting massage therapist licensing examinations and maintaining examination records; amending s. 480.044, F.S.; deleting a fee for massage therapy apprentices; amending s. 486.031, F.S.; revising provisions relating to the recognition of physical therapy programs and educational credentials from foreign countries to meet requirements for licensing as a physical therapist; amending s. 766.1115, F.S.; extending the period a health care provider remains an agent of the state after an individual is deemed ineligible; amending ss. 456.032 and 823.05, F.S.; conforming cross-references; providing an effective date.

By the Committees on Rules; and Education; and Senator Montford—

CS for CS for SB 1226—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; requiring the Auditor General to notify the Legislative Auditing Committee if a district school board fails to take corrective action subsequent to an audit; amending s. 120.74, F.S.; exempting educational units from rule review and reporting requirements; amending s. 120.81, F.S.; conforming cross-references; amending s. 409.1451, F.S.; conforming cross-references; amending s. 496.404, F.S.; conforming cross-references; amending s. 775.215, F.S.; conforming cross-references; amending s. 984.151, F.S.; authorizing a district school superintendent’s designee to submit a truancy petition; repealing s. 1000.01(5), F.S., relating to obsolete education governance transfers; amending s. 1000.21, F.S.; revising the definition of the term “Next Generation Sunshine State Standards”; repealing ss. 1000.33 and 1000.37, F.S., relating to the distribution of copies of educational compacts to other states; amending s. 1001.10, F.S.; deleting and revising certain duties of the Commissioner of Education relating to educational plans and programs; repealing s. 1001.25, F.S., relating to educational television; amending s. 1001.26, F.S.; revising Department of Education duties relating to the public broadcasting program system; prohibiting the use of educational television stations for the advancement of political candidates; providing penalties; amending s. 1001.34, F.S.; establishing a process for modifying the membership of a district school board; providing for a referendum; repealing ss. 1001.47(7) and 1001.50(6), F.S., relating to obsolete district school superintendent salary provisions; repealing s. 1001.62, F.S., relating to obsolete provisions for the transfer of benefits arising under local or special acts; repealing s. 1001.73(3), F.S., relating to the abolished Board of Regents as trustee; amending s. 1002.20, F.S.; correcting cross-references and conforming provisions; amending s. 1002.31, F.S.; revising provisions relating to school district controlled open enrollment plans; amending s. 1002.3105, F.S.; conforming provisions; amending s. 1002.321, F.S.; conforming provisions; amending s. 1002.33, F.S.; deleting required training before charter school application; conforming cross-references and provisions; amending s. 1002.34, F.S.; conforming cross-references; revising provisions relating to department assistance to charter technical career centers; amending s. 1002.345, F.S.; revising provisions relating to expedited review of deteriorating financial conditions for a charter school or charter technical career center; deleting an annual reporting requirement; amending s. 1002.39, F.S.; deleting obsolete provisions relating to eligibility for a John M. McKay Scholarship; amending s. 1002.41, F.S.; correcting cross-references; repealing s. 1002.415, F.S., relating to the K-8 Virtual School Program; amending s. 1002.45, F.S.; conforming cross-references; amending s. 1002.455, F.S.; conforming provisions; repealing

s. 1002.65, F.S., relating to aspirational goals for credentials of pre-kindergarten instructors; amending s. 1003.01, F.S.; conforming cross-references; amending s. 1003.02, F.S.; requiring instructional materials to be consistent with course descriptions; amending s. 1003.03, F.S.; conforming cross-references; amending s. 1003.41, F.S.; deleting an obsolete cost analysis requirement relating to a separate financial literacy course; amending s. 1003.4156, F.S.; revising course and assessment requirements for middle grades students for promotion to high school; providing an exemption for transfer students from certain course grade and assessment requirements; repealing s. 1003.428, F.S., relating to obsolete requirements for high school graduation; amending s. 1003.4281, F.S.; conforming cross-references; amending s. 1003.4282, F.S.; revising course and assessment requirements for the award of a standard high school diploma; providing requirements for a student in an adult general education program to be awarded a standard high school diploma; revising requirements for award of a certificate of completion; providing an exemption for transfer students from certain course grade and assessment requirements; providing specificity regarding course and assessment requirements for graduation for certain cohorts of high school students transitioning to new graduation requirements; providing for future repeal of transition requirements; amending s. 1003.4285, F.S.; revising requirements for standard high school diploma designations; amending s. 1003.438, F.S.; conforming cross-references; repealing s. 1003.451(5), F.S., relating to State Board of Education rulemaking; amending s. 1003.49, F.S.; conforming cross-references; amending s. 1003.493, F.S.; conforming a cross-reference; amending s. 1003.4935, F.S.; conforming a cross-reference; amending s. 1003.57, F.S., relating to exceptional student instruction; amending s. 1003.621, F.S.; revising audit criteria for academically high-performing school districts; repealing s. 1004.02(4), F.S., relating to the definition of the term “adult high school credit program”; amending s. 1004.0961, F.S.; providing for Board of Governors regulations; repealing s. 1004.3825, F.S., relating to authorization for a medical degree program; repealing s. 1004.387, F.S., relating to authorization for a pharmacy degree program; repealing s. 1004.445(2), F.S., relating to the board of directors of the Johnnie B. Byrd, Sr. Alzheimer’s Center and Research Institute; repealing s. 1004.75, F.S., relating to training school consolidation pilot projects; amending s. 1004.935, F.S.; revising the effective date of the Adults with Disabilities Workforce Education Pilot Program; increasing the age limitation for a program participant; conforming cross-references; repealing s. 1006.141, F.S., relating to a statewide school safety hotline; amending s. 1006.147, F.S.; deleting obsolete provisions relating to school district bullying and harassment policies; repealing s. 1006.148(2), F.S., relating to a department-developed model dating violence and abuse policy; amending s. 1006.15, F.S.; conforming cross-references; amending s. 1006.28, F.S.; conforming provisions relating to instructional materials; amending s. 1006.31, F.S.; conforming provisions relating to duties of an instructional materials reviewer; amending s. 1006.34, F.S.; revising provisions relating to standards used in the selection of instructional materials; amending s. 1006.40, F.S.; revising provisions relating to district school board purchase of instructional materials; amending s. 1006.42, F.S.; conforming provisions relating to the responsibility of parents for instructional materials; amending s. 1007.02, F.S.; deleting a popular name and providing applicability for the term “student with a disability”; amending s. 1007.2615, F.S.; deleting obsolete provisions relating to an American Sign Language task force; amending s. 1007.263, F.S.; conforming cross-references; amending ss. 1007.264 and 1007.265, F.S.; conforming provisions; amending s. 1007.271, F.S.; correcting cross-references; amending s. 1008.22, F.S.; conforming and revising provisions relating to the implementation of statewide, standardized comprehensive assessments, end-of-course assessments, and waivers for students with disabilities; requiring the commissioner to publish an implementation schedule for transition to new assessments; conforming provisions relating to concordant scores and comparative scores for assessments; amending s. 1008.25, F.S.; conforming assessment provisions for student progression; amending s. 1008.33, F.S.; deleting obsolete provisions relating to implementation of certain school turnaround options; repealing s. 1008.331, F.S., relating to supplemental educational services in Title I schools; amending s. 1008.3415, F.S.; correcting a cross-reference; repealing s. 1008.35, F.S., relating to best financial management practices for school districts; amending s. 1009.22, F.S.; deleting obsolete provisions relating to workforce education postsecondary student fees; amending s. 1009.40, F.S.; conforming cross-references; amending s. 1009.531, F.S.; conforming cross-references; amending s. 1009.532, F.S.; correcting cross-references; amending s. 1009.536, F.S.; correcting cross-references; repealing s. 1009.56, F.S., relating to the Seminole and Miccosukee Indian Scho-

larship Program; repealing s. 1009.69, F.S., relating to the Virgil Hawkins Fellows Assistance Program; amending s. 1009.91, F.S.; conforming a cross-reference; amending s. 1009.94, F.S.; conforming a cross-reference; repealing part V of chapter 1009, F.S., relating to the Florida Higher Education Loan Authority; amending s. 1011.62, F.S.; deleting an obsolete provision; repealing s. 1011.71(3)(b) and (c), F.S., relating to expired authorization for certain millage levy; repealing s. 1011.76(4), F.S., relating to best financial management practices review under the Small School District Stabilization Program; amending s. 1011.80, F.S.; correcting a cross-reference; amending s. 1012.05, F.S.; deleting department and commissioner duties relating to teacher recruitment and retention; amending s. 1012.22, F.S.; conforming provisions; repealing s. 1012.33(9), F.S., relating to obsolete provisions for payment of professional service contracts; amending s. 1012.34, F.S.; correcting cross-references relating to measuring student performance in personnel evaluations; amending s. 1012.44, F.S.; deleting obsolete provisions; amending s. 1012.561, F.S.; deleting an obsolete provision; repealing s. 1012.595, F.S., relating to an obsolete saving clause for educator certificates; amending s. 1012.885, F.S.; deleting certain provisions relating to remuneration of Florida College System institution presidents; amending s. 1012.975, F.S.; deleting certain provisions relating to remuneration of state university presidents; amending s. 1012.98, F.S.; requiring continuing education training for kindergarten teachers; amending s. 1013.35, F.S.; revising audit requirements for school district educational planning and construction activities; amending s. 1013.47, F.S.; deleting provisions relating to payment of wages of certain persons employed by contractors; repealing s. 1013.49, F.S., relating to toxic substances in educational facilities; repealing s. 1013.512, F.S., relating to the Land Acquisition and Facilities Advisory Board; repealing s. 20 of chapter 2010-24, Laws of Florida, relating to Department of Revenue authorization to adopt emergency rules; providing an effective date.

By the Committees on Rules; and Education; and Senator Montford—

CS for CS for SB 1396—A bill to be entitled An act relating to public records and meetings; amending s. 1013.505, F.S., relating to public-private projects for the upgrade of state university facilities and infrastructure; defining the term “proprietary confidential business information”; creating an exemption from public records requirements for unsolicited proposals held by a state university board of trustees for a specified period; providing that proprietary confidential business information remains confidential and exempt from public records requirements; creating an exemption from public meetings requirements for portions of meetings of a state university board of trustees at which confidential and exempt information is discussed; providing for future review and repeal of the exemptions under the Open Government Sunset Review Act; providing statements of public necessity; providing a contingent effective date.

By the Committees on Rules; and Judiciary; and Senator Thrasher—

CS for CS for SB 1526—A bill to be entitled An act relating to public records; amending s. 501.171, F.S.; creating an exemption from public records requirements for information received by the Department of Legal Affairs pursuant to a notice of a data breach or pursuant to certain investigations; authorizing disclosure under certain circumstances; defining the term “proprietary information”; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Regulated Industries; and Senator Evers—

CS for SB 1550—A bill to be entitled An act relating to tax-exempt cigarettes; amending s. 210.01, F.S.; defining terms; amending s. 210.05, F.S.; authorizing agents and wholesale dealers to sell stamped and untaxed cigarettes to tribal business entities; authorizing agents and wholesale dealers to file a claim with the Division of Alcoholic Beverages and Tobacco for a refund of specified taxes and surcharges; conforming a cross-reference; repealing s. 210.1801, F.S., relating to the sale of tax-exempt cigarettes to members of recognized Indian tribes; creating s. 210.221, F.S.; providing legislative intent; authorizing tribal business entities to purchase stamped and untaxed cigarettes from agents and wholesale dealers; providing a cap on the amount of cigarettes that may be purchased and sold annually; authorizing certain tribal smoke shops

to purchase tax-exempt cigarettes from tribal business entities and to sell such cigarettes at retail on an Indian reservation to tribal members and the public; requiring specified entities to maintain documentation relating to the purchase or sale of tax-exempt cigarettes; prohibiting the purchase of more than a specified number of cartons of tax-exempt cigarettes within a specified period; providing a penalty; creating s. 210.222, F.S.; requiring a certificate of authority to own or operate a tribal smoke shop; requiring tribal business entities to adopt related requirements; requiring tribal business entities that purchase tax-exempt cigarettes to deposit all cigarette revenues into a fund to be used for tribal health care including the establishment of a Tribal Comprehensive Tobacco Education and Use Prevention Program; authorizing the division to inspect the accounts and the use of certain funds derived from the sale of tax-exempt cigarettes; amending s. 381.84, F.S.; adding two members of the Seminole Indian Tribe of Florida to the Tobacco Education and Use Prevention Program Council; providing an effective date.

By the Committee on Transportation; and Senator Brandes—

CS for SB 1618—A bill to be entitled An act relating to chauffeured limousines; creating s. 316.901, F.S.; prohibiting a special district from discriminating or restricting the use of certain chauffeured limousines by requiring a minimum wait time or minimum fare, restricting the number of permits issued to operate in the county, or restricting access across county lines; requiring chauffeured limousines to meet certain minimum financial responsibility requirements; defining the term “chauffeured limousine”; providing an effective date.

By the Committee on Regulated Industries; and Senator Sobel—

CS for SB 1624—A bill to be entitled An act relating to the sale of dogs or cats; creating s. 828.295, F.S.; defining the term “flea market”; prohibiting a person from willfully selling, exchanging, or donating, or offering for sale, exchange, or donation a dog or cat at a flea market; providing exceptions; establishing criminal penalties; establishing enhanced criminal penalties for certain violations; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Gaming; and Senators Sobel, Soto, Clemens, and Abruzzo—

CS for SB 742—A bill to be entitled An act relating to racing animals; amending s. 550.2415, F.S.; revising the prohibition on the use of medication or drugs on animals; revising penalties for such use; revising procedures for testing animals for medication or drugs; requiring the Division of Pari-mutuel Wagering within the Department of Business and Professional Regulation to maintain records of greyhounds injured while racing; providing for the content of such records; providing fines for making false statements on an injury form; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committees on Judiciary; and Banking and Insurance; and Senators Flores and Diaz de la Portilla—

CS for CS for SB 832—A bill to be entitled An act relating to motor vehicle sales; amending s. 545.01, F.S.; revising and reordering definitions; defining terms; creating s. 545.045, F.S.; prohibiting an affiliated finance company from taking specified actions relating to certain finance obligations arising from a vehicle contract that contains a third-party provider’s specified automotive-related product; providing factors to determine whether an automotive-related product is similar in nature, scope, and quality to an automotive-related product offered for sale by an affiliated finance company or its related manufacturer or wholesale distributor; providing that a violation does not constitute a criminal offense; amending s. 320.27, F.S.; deleting the definition of the term

“motor vehicle broker”; conforming a reference; providing an effective date.

—was placed on the Calendar.

By the Committee on Banking and Insurance; and Senator Grimsley—

CS for SB 1354—A bill to be entitled An act relating to health care; amending s. 409.967, F.S.; revising contract requirements for Medicaid managed care programs; providing requirements for plans establishing a drug formulary or preferred drug list; requiring the plan to authorize an enrollee to continue a drug that is removed or changed, under certain circumstances; requiring the use of a standardized prior authorization form; requiring a pharmacy benefits manager to use and accept the form under certain circumstances; providing requirements for the form and for the availability and submission of the form; establishing a process for providers to override certain treatment restrictions; providing requirements for approval of such overrides; providing an exception to the override protocol in certain circumstances; creating s. 627.42392, F.S.; requiring health insurers to use a standardized prior authorization form; requiring a pharmacy benefits manager to use and accept the form under certain circumstances; providing requirements for the form and for the availability and submission of the form; providing an exemption; creating s. 627.42393, F.S.; establishing a process for providers to override certain treatment restrictions; providing requirements for approval of such overrides; providing an exception to the override protocol in certain circumstances; providing an exemption; amending s. 627.6131, F.S.; prohibiting an insurer from retroactively denying a claim in certain circumstances; amending s. 627.6471, F.S.; requiring insurers to post preferred provider information on a website; amending s. 627.6515, F.S.; applying provisions relating to prior authorization and override protocols to out-of-state groups; amending s. 641.3155, F.S.; prohibiting a health maintenance organization from retroactively denying a claim in certain circumstances; creating s. 641.393, F.S.; requiring the use of a standardized prior authorization form by a health maintenance organization; requiring a pharmacy benefits manager to use and accept the form under certain circumstances; providing requirements for the availability and submission of the form; providing an exemption; creating s. 641.394, F.S.; establishing a process for providers to override certain treatment restrictions; providing requirements for approval of such overrides; providing an exception to the override protocol in certain circumstances; providing an exemption; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committees on Judiciary; and Regulated Industries; and Senators Lee and Evers—

CS for CS for SB 1466—A bill to be entitled An act relating to residential communities; amending s. 468.431, F.S.; revising the term “community association management”; creating s. 468.4334, F.S.; providing that a community association manager and a community association management firm are liable for monetary damages to the same extent as an officer or director under certain circumstances; amending s. 718.116, F.S.; allowing for reasonable charges to be imposed for collection of a delinquent assessment; requiring a release of lien to be in a specific form; requiring a preforeclosure notice to be in a specific form; amending s. 718.121, F.S.; requiring a prelien notice to be in a specific form; amending s. 719.108, F.S.; allowing for reasonable charges to be imposed for collection of a delinquent assessment; deleting a provision providing for the expiration of certain liens; revising notice requirements; requiring a prelien notice to be in a specific form; providing for the content of a recording notice; requiring a release of lien to be in a specific form; requiring a preforeclosure notice to be in a specific form; providing notice requirements; amending s. 720.3085, F.S.; requiring a release of lien to be in a specific form; allowing for reasonable charges to be imposed for collection of a delinquent assessment; requiring a prelien notice to be in a specific form; requiring a preforeclosure notice to be in a specific form; providing an effective date.

—was placed on the Calendar.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Building Code Administrators and Inspectors Board	
Appointee: McCormick, Robert S., Sanford	10/31/2017
Board of Trustees of Chipola College	
Appointee: Stuart, Virginia "Gina" C., Marianna	05/31/2017
Board of Trustees of Indian River State College	
Appointee: Krischke, Sandra J., Fort Pierce	05/31/2017
Board of Trustees of Tallahassee Community College	
Appointee: Vaughn, G. Kevin, Tallahassee	05/31/2017
Board of Directors, Enterprise Florida, Inc.	
Appointee: Beyrouti, Jay J., Redington Shores	09/30/2017
Fish and Wildlife Conservation Commission	
Appointee: Yablonski, Brian S., Tallahassee	01/05/2019
Tampa Port Authority	
Appointee: Celestan, Gregory, Lithia	11/25/2017
Tampa Bay Regional Planning Council, Region 8	
Appointee: Sheridan, Scott D., Tampa	10/01/2016

Referred to the Committee on Ethics and Elections.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 59 and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

By Criminal Justice Subcommittee and Representative(s) Ahern, Albritton, Artiles, Baxley, Broxson, Caldwell, Campbell, Combee, Eagle, Fresen, Hill, Hood, Moraitis, O'Toole, Perry, Pigman, Porter, Raburn, Renuart, Rodrigues, R., Rooney, Santiago, Smith, Spano, Van Zant—

CS for HB 59—A bill to be entitled An act relating to offenses against unborn children; providing a short title; amending s. 775.021, F.S.; providing a rule of construction that a person who engages in conduct that violates any provision of the Florida Criminal Code or of a criminal offense defined by another statute and causes the death of, or bodily

injury to, an unborn child commits a separate offense if such an offense is not otherwise specifically provided for; providing for criminal penalties for such an offense; specifying that certain types of knowledge or intent are not necessary for such an offense; providing exceptions; providing a definition; amending s. 316.193, 435.04, 782.071, 782.09, and 921.0022, F.S.; defining and substituting the term "unborn child" for similar terms used in provisions relating to driving under the influence, employment background screening standards, vehicular homicide, the killing of an unborn quick child by injury to the child's mother; and the offense severity ranking chart of the Criminal Punishment Code, respectively; conforming terminology; providing an effective date.

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

RETURNING MESSAGES

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed SB 2510 with one amendment, and having refused to pass SB 2510 as passed by the Senate, the House accedes to the request of the Senate to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed SB 2514 with one amendment, and having refused to pass SB 2514 as passed by the Senate, the House accedes to the request of the Senate to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 3, April 9, and April 10 were corrected and approved.

CO-INTRODUCERS

Senators Abruzzo—CS for SB 1400; Benacquisto—CS for SB 918; Braynon—CS for SB 1400; Bullard—CS for SB 1400; Clemens—CS for SB 1400; Diaz de la Portilla—CS for SB 1400; Flores—CS for SB 1400; Gibson—CS for SB 1400; Grimsley—CS for SB 1400; Hays—CS for SB 958; Joyner—CS for SB 1400; Margolis—CS for SB 1400; Montford—CS for SB 1400; Richter—CS for SB 1400; Ring—CS for SB 1400; Sachs—CS for SB 1400; Simmons—CS for SB 1400; Smith—CS for SB 1400; Sobel—CS for SB 782, CS for SB 1400; Thompson—CS for SB 1400

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 1:16 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 23 or upon call of the President.