



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Gaetz at 11:00 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 Reverend Robert Jakoby, Director of Pastoral Care Services at Baptist Health South Florida, Miami:

Almighty God, we acknowledge you as a loving God, and we thank you for your presence here today. As creator of heaven and earth, you know all things. You know us intimately inside and out. You know when our hearts are right with you and with others. You know our thoughts before we think them and our motives with each action we take. Where our hearts have been calloused toward you and others, or where our thoughts and motives have been displeasing to you, we ask for your forgiveness. We desire to honor you in every area of our life. We acknowledge that our total being is under your control and providence, even when we do not understand, agree, or at times are unaware. Make us conscious of your love and desire to bless us and guide us in the details of life. In doing so, we will become better persons and citizens in the community and state in which we live.

Dear Lord, we ask for your guidance as these Senators make enormous financial, moral, and ethical decisions which are crucial to the people and organizations of this state. In their difficult struggles, direct them. May their intelligence, knowledge, and reasoning pass through your crucible of refinement so that their decisions made will honor you and be for the greater good.

Most loving God, bless Governor Scott, his family, and each Senator and their families with good health and safety. We pray for each elected official that they may have courage and boldness even when making tough decisions. May all they do be honorable and pleasing to you that we may prosper in this Great State of Florida.

In the holy name of your Son, Amen.

PLEDGE

Senate Pages, William Colson of Tallahassee; Christina Barber of Bristol; Antonio Knox of Jacksonville; and Chloe Ross of Davie, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Jason Pirozzolo of Winter Garden, sponsored by Senator Thrasher, as the doctor of the day. Dr. Pirozzolo specializes in family and sports medicine.

ADOPTION OF RESOLUTIONS

On motion by Senator Dean—

By Senators Dean, Soto, and Bradley—

SR 382—A resolution recognizing April 2014 as “Springs Protection Awareness Month” in Florida.

WHEREAS, Florida’s springs are essential to the environment, economy, and residents of, and visitors to, this state, and

WHEREAS, Florida has one of the most productive aquifers in the world, which supports more than 700 natural springs, giving this state the world’s highest concentration of springs, and

WHEREAS, more than 93 percent of Florida residents rely on this groundwater supply and its vitality to the state’s economy, and

WHEREAS, springs are a natural resource that must be protected, as they reflect groundwater conditions and provide an important habitat for wildlife, including species listed as threatened or endangered under the Endangered Species Act, and

WHEREAS, springs provide important recreation resources and opportunities that are enjoyed by residents and visitors alike, and

WHEREAS, Florida’s springs discharge more than 8 billion gallons of water each day, which is essential for sustaining spring runs and associated receiving water bodies, and

WHEREAS, healthy springs reflect the State of Florida’s commitment to sustainable ground and surface water resource protection, NOW, THEREFORE,

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

That April 2014 is recognized as “Springs Protection Awareness Month” in Florida, and all levels of government are encouraged to support springs protection, restoration, and preservation awareness.

—was introduced out of order and read by title. On motion by Senator Dean, **SR 382** was read the second time by title and adopted.

On motion by Senator Bradley—

By Senator Bradley—

SR 1718—A resolution recognizing April 2, 2014, as “University of Florida Day” in Florida.

WHEREAS, the University of Florida tradition of enrolling some of the most academically talented students in the nation continued during the 2013-2014 academic year, with incoming freshmen having a grade point average of 4.4 and an average SAT score of 1,960, and

WHEREAS, in 2014, the University of Florida launched UF Online, the first fully online 4-year bachelor’s degree program at a public university in Florida and one of the first such programs nationwide to be offered at a leading national research university, and

WHEREAS, in 2013, the University of Florida dedicated more than \$13 million in state preeminence funding to hiring new faculty, whose work will further 16 university research proposals in fields including computing, biology, and business, and

WHEREAS, in 2013, the University of Florida’s Innovation Square continued to draw outside technology companies, including Boston-area mobile application developer Mobiquity and CurtCo Robb Media, the publisher of the Robb Report, to Gainesville, where they established offices and created jobs, and

WHEREAS, in 2012, the University of Florida ranked fourth nationally among universities in launching startup companies that use the school’s own technologies, a testament to the university’s world-renowned faculty, and

WHEREAS, the business incubator Florida Innovation Hub at the University of Florida contributed to the creation of 250 jobs in its first 20 months of operation and already has more than two dozen tenants, and

WHEREAS, in 2013, the University of Florida surged to number 14 among the nation’s best public universities as ranked by U.S. News & World Report, and

WHEREAS, in 2012, the Wall Street Journal’s Smartmoney magazine reported that the University of Florida offers students and their families the second-highest return on investment of any university in the nation, and

WHEREAS, in 2013, the University of Florida continued to grow and expand its campus, including the completion of the Clinical and Translational Research Building, the launch of a major renovation and expansion of the J. Wayne Reitz Union, and the groundbreaking for both Heavener Hall and the Harrell Medical Education Building, and

WHEREAS, in 2013, the University of Florida significantly expanded its scientific research computing capabilities with the completion of Hi-PerGator, the state’s fastest supercomputer that is among the top 200 supercomputers in the world, and

WHEREAS, the University of Florida unified the six colleges of the UF Health Science Center and Shands Hospital by bringing them together under one shared brand, UF Health, and

WHEREAS, the University of Florida also excels in its student athletic program, the only program in the nation to rank in the top ten nationally for the past 30 years and whose athletic victories include 31 national team championships, 213 Southeastern Conference titles, and more than 259 individual national titles, NOW, THEREFORE,

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

That April 2, 2014, is recognized as “University of Florida Day” in Florida.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to J. Bernard Machen, D.D.S., Ph.D., President of the University of Florida, as a tangible token of the sentiments expressed herein.

—was introduced out of order and read by title. On motion by Senator Bradley, **SR 1718** was read the second time in full and adopted.

At the request of Senator Richter—

By Senator Richter—

SR 630—A resolution recognizing July 2014 as “Bladder Cancer Awareness Month” in Florida.

WHEREAS, according to the Centers for Disease Control and Prevention, bladder cancer is the sixth most common cancer in the United States, and

WHEREAS, among the states, Florida has the fourth largest population, the third highest incidence of bladder cancer, and the second highest rate of bladder cancer deaths in the country, and

WHEREAS, bladder cancer is the fourth most common cancer in men and the tenth most common cancer in women, and

WHEREAS, men have a 1 in 26 chance and women have a 1 in 90 chance of being diagnosed with bladder cancer in their lifetimes, and

WHEREAS, this year in the United States, approximately 73,000 new cases of bladder cancer will be diagnosed and nearly 15,000 people will die from the disease, and

WHEREAS, bladder cancer occurs in more women annually than cervical cancer, and

WHEREAS, women often have a delayed diagnosis due to bladder cancer being mistaken for common gynecological problems, and

WHEREAS, although bladder cancer can occur at any age, a high percentage of people suffering from the disease are over the age of 55, and

WHEREAS, even though bladder cancer is the sixth most common cancer in the United States, it ranks twenty-second in research money received, and

WHEREAS, due to a recurrence rate of 50 to 80 percent, bladder cancer is one of the most expensive cancers to treat, NOW, THEREFORE,

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

That July 2014 is recognized as “Bladder Cancer Awareness Month” in Florida.

—**SR 630** was introduced, read and adopted by publication.

At the request of Senator Diaz de la Portilla—

By Senator Diaz de la Portilla—

SR 1694—A resolution commemorating the 50th anniversary of the Dade County Police Benevolent Association.

WHEREAS, the Dade County Police Benevolent Association was incorporated in December 1963 to protect the rights of law enforcement personnel and promote professionalism, and

WHEREAS, the Dade County Police Benevolent Association is the largest police organization in Miami-Dade County, with more than 6,500 law enforcement officers, and

WHEREAS, the Dade County Police Benevolent Association provides a wealth of benefits for its members, including union-type services such as collective bargaining and labor relations and legal assistance, and

WHEREAS, the Dade County Police Benevolent Association remains civically engaged, fostering relationships with elected officials and taking an active role in crafting legislation in the criminal justice field, and

WHEREAS, the Dade County Police Benevolent Association strives to enhance relations between law enforcement personnel and the community, and the association's members have volunteered their time and given financial support to numerous nonprofit organizations in Miami-Dade County, NOW, THEREFORE,

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

That the 50th anniversary of the Dade County Police Benevolent Association is commemorated.

—**SR 1694** was introduced, read and adopted by publication.

At the request of Senator Richter—

By Senator Richter—

SR 1696—A resolution recognizing the vital importance of Walton County's coastal dune lakes to the ecological and economic health of this state.

WHEREAS, the unique coastal dune and watershed system known as coastal dune lakes is one of the rarest and most unique natural systems in the world, occurring only in Australia, New Zealand, Madagascar, Oregon, South Carolina, and Northwest Florida, and

WHEREAS, Walton County is known worldwide for its sugar-white sand beaches and emerald gulf waters and is home to 15 named coastal dune lakes that constitute a rarely occurring natural phenomenon based on dynamic and intermittent exchange with the Gulf, and

WHEREAS, these coastal dune lakes, Lake Powell, Alligator Lake, Lake Allen, Camp Creek, Little Redfish Lake, Stallworth Lake, Deer Lake, Big Redfish Lake, Campbell Lake, Eastern Lake, Draper Lake, Morris Lake, Western Lake, Oyster Lake, and Fuller Lake, are fed by streams, groundwater seepage, rain, and storm surge, with water conditions between lakes varying greatly, from completely fresh to significantly saline, and

WHEREAS, the coastal dune lakes, which are listed as “globally imperiled” by the Florida Natural Areas Inventory, create a uniquely pristine environment that exists nowhere else in Florida, and contribute to Walton County's ranking as one of the top ten most biodiverse areas in the nation, and

WHEREAS, this complex hydrologic system is habitat for struggling plant communities without which the integrity and preservation of a stable dune complex cannot exist; functions as an aquatic nursery; and provides habitat for a wide array of animal life, including protected and endangered species, and

WHEREAS, protection of Walton County's coastal dune lakes provides important ecological benefits, such as storm protection and restoration of essential water flow into the Gulf, and

WHEREAS, the coastal dune lakes are vital to the economies of Walton County, providing opportunities for fishing, hiking, birding, canoeing, kayaking, ecotouring, plein-air painting, photographic expeditions, and other activities that provide recreation and intimate connection with nature, and

WHEREAS, the current “Outstanding Florida Water” designation of Lake Powell establishes a foundation and provides a precedent for the effort to protect the unparalleled beauty and diversity of Florida's natural, cultural, and economic legacies for future generations, and

WHEREAS, recognition of the coastal dune lakes by the Legislature will strengthen existing policies in the Walton County Comprehensive Plan and the Land Development Code, NOW, THEREFORE,

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

That Walton County's coastal dune lakes are designated as state ecological treasures; that the vital importance of Walton County's

coastal dune lakes to the ecological and economic health of this state is recognized; and that the natural beauty of Florida's ecological treasures, the coastal dune lakes, is celebrated.

—**SR 1696** was introduced, read and adopted by publication.

At the request of Senator Margolis—

By Senator Margolis—

SR 1704—A resolution recognizing April 2 and 3, 2014, as “Miami-Dade County Days at the Capitol” and celebrating the 26th anniversary of this event.

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

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

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

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

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

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

WHEREAS, 26 years ago, the late Representative John F. Cosgrove, as chairperson of the former Dade County legislative delegation, worked with the private sector to create what is now Miami-Dade County Days at the Capitol, NOW, THEREFORE,

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

That the Florida Senate recognizes April 2 and 3, 2014, as “Miami-Dade County Days at the Capitol” and celebrates the 26th anniversary of this event.

—**SR 1704** was introduced, read and adopted by publication.

At the request of Senator Hukill—

By Senator Hukill—

SR 1728—A resolution recognizing April 2014 as “Financial Literacy Month” in Florida.

WHEREAS, in a letter to Thomas Jefferson dated August 23, 1787, John Adams recognized the need for financial literacy, writing, “All the perplexities, confusions, and distresses in America arise, not from defects in their constitution or confederation, not from a want of honor or virtue, so much as from downright ignorance of the nature of coin, credit, and circulation,” and

WHEREAS, in 1914, the Smith-Lever Act created the Cooperative Extension Service to provide a learning experience that would develop skills that people needed at home, on the farm, and in their communities, including financial skills, and

WHEREAS, in 1919, Junior Achievement, a nonprofit youth organization, was founded to work with local businesses and organizations to

deliver financial literacy, entrepreneurship, and work-readiness education, and

WHEREAS, the 1950s marked a time when issues relating to financial management, including retirement security, composed 50 percent of the research that was conducted in the field of home economics, with financial literacy continuing to gain greater prominence in the field of education and beyond, and

WHEREAS, in 1995, William E. Odom, former chairman and CEO of Ford Motor Credit Corporation, developed the concept that led to the formation of the Jump\$tart Coalition, and

WHEREAS, Jump\$tart is a nonprofit organization that includes about 150 national organizations and entities consisting of corporate, nonprofit, academic, government, and other groups working to advance financial literacy among students in prekindergarten to college, and

WHEREAS, in 1996, Dr. Lewis Mandell developed the financial literacy survey that now is a hallmark of the Jump\$tart Coalition's work, and Dr. Mandell provided the guidelines that evolved into the National Standards in K-12 Personal Financial Education, and

WHEREAS, the Financial Literacy and Education Commission was established under the Fair and Accurate Credit Transactions Act of 2003 to improve financial literacy and to develop a national strategy on financial education, and

WHEREAS, in 2004, the United States Senate passed Resolution 316, which officially recognized April 2004 as "National Financial Literacy Month," and

WHEREAS, in 2004, Citigroup announced a 10-year, \$200 million commitment to meet the growing financial education needs of the communities that Citigroup served, and the American Institute of Certified Public Accountants launched a unified financial literacy initiative called "360 Degrees of Financial Literacy" to address the widespread financial illiteracy epidemic, and

WHEREAS, in 2008, President George W. Bush signed Executive Order 13455, which created the President's Advisory Council on Financial Literacy to recommend steps that should be taken to enhance the state of financial literacy in the United States, and

WHEREAS, in 2010, the U.S. Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act, creating the Consumer Financial Protection Bureau to promote financial education, among other things, and

WHEREAS, in 2011, President Barack Obama designated April 2011 as "National Financial Literacy Month," declaring that during this month we recommit to improving financial literacy and ensuring all Americans have access to trustworthy financial services and products, and

WHEREAS, in 2012, 52 percent of teens polled said they wanted to learn more about how to manage their money and that they were particularly interested in learning more about basic personal finance topics such as budgeting, saving, checking accounts, and investing, and

WHEREAS, in 2013, 40 percent of adults polled gave themselves a grade of C, D, or F on their knowledge of personal finance, and 78 percent said they agreed that they could benefit from additional advice and answers to everyday financial questions from a professional, and

WHEREAS, today, Americans carry more than \$2 trillion in consumer debt, with 30 percent of consumers reporting that they have no extra cash, making it impossible to escape the burden of living paycheck to paycheck, and

WHEREAS, currently, 43 states require some form of financial literacy content to be taught in high schools, with 19 states requiring an individual financial literacy course to be offered and 17 states requiring an individual financial literacy course to be taken, and

WHEREAS, National Financial Literacy Month is recognized in the United States each April in an effort to highlight the importance of financial literacy, to teach Americans how to establish and maintain healthy financial habits, and to remind us of the importance of teaching

students how to be financially savvy, empowering them to be economically successful throughout their lives, NOW, THEREFORE,

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

That April 2014 is recognized as "Financial Literacy Month" in Florida and that all residents of this state are urged to recognize that financial literacy is an important part of our students' education in order to ensure their bright futures.

—SR 1728 was introduced, read and adopted by publication.

SPECIAL PERFORMANCE

The President introduced Nicole Henry who sang *God Bless America*. Nicole graduated from the University of Miami with a degree in Communications and Theatre. She performed at the 2014 Orange Bowl.

SPECIAL GUESTS

Senator Legg introduced his wife, Suzanne, who was present in the gallery.

MOMENT OF SILENCE

At the request of Senator Hays, the Senate observed a moment of silence honoring those who were injured or killed by the shooting that occurred at Fort Hood, Texas on April 2, 2014.

REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz
President, The Florida Senate

April 3, 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 Architecture and Interior Design Appointee: Blanz, James	10/31/2016
Board of Athletic Training Appointee: Harris, Brandon L.	10/31/2017
Florida Building Code Administrators and Inspectors Board Appointee: Raines, Andrew J.	10/31/2017
Florida Building Commission Appointee: Carlson, E. Jay	02/11/2017
Board of Chiropractic Medicine Appointee: Pelaez, Ruth E.	10/31/2015
Board of Clinical Laboratory Personnel Appointee: Hernandez, Alvaro A.	10/31/2014
Florida Communities Trust Appointee: Lindblad, A. Erick	01/31/2017
Florida Commission on Community Service Appointee: Towler, Susan	09/14/2016
Board of Trustees of Eastern Florida State College Appointee: Landman, Alan H.	05/31/2017
Board of Trustees of Broward College Appointee: Fernandez, Gloria M.	05/31/2017

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of College of Central Florida Appointees: Durrance, Robert E. Ewers, Ronald L.	05/31/2017 05/31/2017	Padget, John R. Tuck, Andy	12/31/2016 12/31/2017
Board of Trustees of Florida Keys Community College Appointee: O'Bannon, Anne M.	05/31/2017	Board of Trustees, Florida Atlantic University Appointees: Cane, Daniel McDonald, Mary Beth	01/06/2018 01/06/2016
Board of Trustees of Gulf Coast State College Appointees: Kirvin, Elizabeth M. Millaway, Steve D.	05/31/2016 05/31/2017	Board of Trustees, University of Central Florida Appointees: Brown, Clarence H., III Seay, Beverly Jo	01/06/2018 01/06/2018
Board of Trustees of South Florida State College Appointees: Backer, Timothy D. Kirschner, Louis H.	05/31/2017 05/31/2017	Board of Trustees, Florida State University Appointees: Ballard, Kathryn S. Duda, Emily F.	01/06/2018 01/06/2016
Construction Industry Licensing Board Appointees: Cobb, Christopher M. Korelishn, Albert C.	10/31/2017 10/31/2017	Board of Trustees, Florida Gulf Coast University Appointees: Gable, Robert Blakeslee Klaas, Richard Lee Spilker, Christian M.	01/06/2018 01/06/2016 01/06/2015
Florida Elections Commission Appointees: Bernard, Mackenson Hollarn, Patricia M. Seymour, Brian M.	12/31/2016 12/31/2016 12/31/2016	Board of Trustees, Florida Polytechnic University Appointees: Bostick, R. Mark Brown, William M. Featherman, Sandra Hammack, Scott J. Hyman, Kevin M. Martin, Frank T. Stork, Robert W. Wilson, Donald H.	06/30/2015 11/07/2017 07/15/2015 06/30/2015 06/30/2015 07/15/2015 06/30/2014 07/15/2014
Board of Funeral, Cemetery, and Consumer Services Appointee: Hall, Lewis	09/30/2017	Board of Trustees, University of North Florida Appointee: Korman, Joy G.	01/06/2018
Board of Trustees of South Lake County Hospital District Appointees: Duke, Jeff C. Kesselring, Kasey C. Solis, Carlos	07/05/2017 07/05/2017 07/05/2015	Board of Trustees, University of West Florida Appointee: May, LuTimothy	01/06/2018
Board of Massage Therapy Appointee: Phillips, Sharon L.	10/31/2017	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:	
Board of Nursing Home Administrators Appointee: Fernandez, Chantelle	10/31/2016	<i>Office and Appointment</i>	
Board of Occupational Therapy Practice Appointee: Hicks, Anthony J.	10/31/2017	<i>For Term Ending</i>	
Board of Opticianry Appointee: Girdler, John B., III	10/31/2014	Environmental Regulation Commission Appointees: Bauer, Michael R. Roth, Cari L.	07/01/2017 07/01/2017
Board of Optometry Appointees: Maule, Tamara L. McNaughton, Rosa N.	10/31/2017 10/31/2017	Governing Board of the Northwest Florida Water Management District Appointee: Pate, Jerome K.	03/01/2017
Board of Osteopathic Medicine Appointees: Hayden, Anna Z. Mendez, Michelle R.	10/31/2017 10/31/2016	Governing Board of the Southwest Florida Water Management District Appointees: Beruff, Carlos Dunbar, David W. Moran, Michael A.	03/01/2017 03/01/2017 03/01/2015
Board of Physical Therapy Practice Appointee: Petraglia, Gina C.	10/31/2017	Executive Director of Southwest Florida Water Management District Appointee: Beltran, Roberto R., Jr.	Pleasure of the Board
Board of Pilot Commissioners Appointee: Kurtz, Carolyn J.	10/31/2017	Governing Board of the Suwannee River Water Management District Appointee: Sanchez, Virginia Marsh	03/01/2017
Florida Real Estate Commission Appointee: Boring, Claude D.	10/31/2017	The following executive appointment was referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:	
Board of Veterinary Medicine Appointees: Hase, Robert R., Jr. Johnson, Connie M. Leonard, Robert B., Jr.	10/31/2016 10/31/2017 10/31/2017	<i>Office and Appointment</i>	

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>
State Board of Education Appointees: Armas, Ada Gonzalez Colon, John A.	12/31/2016 12/31/2014

<i>Office and Appointment</i>	<i>For Term Ending</i>
Investment Advisory Council Appointee: Elia, MaryEllen	12/12/2016

The following executive appointment was referred to the Senate Committee on Health Policy and the Senate Appropriations Subcommittee on Health and Human Services and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

Office and Appointment

State Surgeon General
Appointee: Armstrong, John H.

*For Term
Ending*

Pleasure of
Governor

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—38

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

Nays—None

VOTE PREFERENCE

Senator Gibson was recorded as voting “nay” on the appointment of John H. Armstrong as State Surgeon General.

BILLS ON THIRD READING

Consideration of **SB 160** was deferred.

CS for CS for SB 448—A bill to be entitled An act relating to the threatened use of force; providing legislative findings and intent; amending s. 775.087, F.S.; prohibiting the court from imposing certain mandatory minimum sentences if the court makes specified written findings; amending s. 776.012, F.S.; applying provisions relating to the use of force in defense of persons to the threatened use of force; providing

that a person who lawfully uses or threatens to use nondeadly force does not have a duty to retreat; providing that a person who lawfully uses or threatens to use deadly force does not have a duty to retreat if the person using or threatening the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be; amending s. 776.013, F.S.; applying presumption relating to the use of deadly force to the threatened use of deadly force in the defense of a residence and similar circumstances; applying provisions relating to such use of force to the threatened use of force; removing provisions relating to one’s duty to retreat prior to using force; amending s. 776.031, F.S.; applying provisions relating to the use of force in defense of property to the threatened use of force; providing that a person who lawfully uses or threatens to use nondeadly force does not have a duty to retreat; providing that a person who lawfully uses or threatens to use deadly force does not have a duty to retreat if the person using or threatening the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be; amending s. 776.032, F.S.; applying immunity provisions that relate to the use of force to the threatened use of force; limiting immunity provisions to civil actions by the person, personal representative, or heirs of the person against whom force was used; amending s. 776.041, F.S.; applying provisions relating to the use of force by an aggressor to the threatened use of force; providing exceptions; amending s. 776.051, F.S.; providing that a person is not justified in the threatened use of force to resist an arrest by a law enforcement officer; amending s. 776.06, F.S., clarifying that the statute relates to use of force by a law enforcement or correctional officer; creating s. 776.09, F.S.; providing that a person is eligible to apply for a certificate of eligibility for expunction, notwithstanding the eligibility requirements, if the charging document in the case is not filed or is dismissed because it is found that the person acted in lawful self-defense pursuant to the provisions related to the justifiable use of force in ch. 776, F.S.; requiring a prosecutor, statewide prosecutor, or court to document and retain such findings; amending s. 943.0585, F.S.; requiring the Department of Law Enforcement to provide a certificate of eligibility for expunction, notwithstanding the eligibility requirements, to a person who has a written, certified statement from a prosecutor or statewide prosecutor indicating that the charging document in the case was not filed or was dismissed because it was found that the person acted in lawful self-defense pursuant to the provisions related to the justifiable use of force in ch. 776, F.S.; providing a penalty for knowingly providing false information on a sworn statement; providing applicability; requiring the department to adopt rules; providing an effective date.

—as amended March 20 was read the third time by title.

Pending further consideration of **CS for CS for SB 448** as amended, on motion by Senator Evers, by two-thirds vote **CS for CS for HB 89** was withdrawn from the Committees on Criminal Justice; Judiciary; and Rules.

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

CS for CS for HB 89—A bill to be entitled An act relating to the threatened use of force; providing legislative findings and intent; amending s. 775.087, F.S.; prohibiting the court from imposing certain mandatory minimum sentences if the court makes specified written findings; amending s. 776.012, F.S.; applying provisions relating to the use of force in defense of persons to the threatened use of force; providing that a person who lawfully uses or threatens to use nondeadly force does not have a duty to retreat; providing that a person who lawfully uses or threatens to use deadly force does not have a duty to retreat if the person using or threatening to use the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be; amending s. 776.013, F.S.; applying presumption relating to the use of deadly force to the threatened use of deadly force in the defense of a residence and similar circumstances; applying provisions relating to such use of force to the threatened use of force; removing provisions relating to one’s duty to retreat before using force; amending s. 776.031, F.S.; applying provisions relating to the use of force in defense of property to the threatened use of force; providing that a person who lawfully uses or threatens to use nondeadly force does not have a duty to retreat; providing that a person who lawfully uses or threatens to use deadly force does not have a duty to retreat if the person using or threatening to use the deadly force is not engaged in a criminal activity and is in a place where he or she has

a right to be; amending s. 776.032, F.S.; applying immunity provisions that relate to the use of force to the threatened use of force; limiting immunity provisions to civil actions by the person, personal representative, or heirs of the person against whom force was used; amending s. 776.041, F.S.; applying provisions relating to the use of force by an aggressor to the threatened use of force; providing exceptions; amending s. 776.051, F.S.; providing that a person is not justified in the threatened use of force to resist an arrest by a law enforcement officer; amending s. 776.06, F.S.; clarifying that the provision relates to use of force by a law enforcement officer or correctional officer; creating s. 776.09, F.S.; providing that a person is eligible to apply for a certificate of eligibility for expunction, notwithstanding specified eligibility requirements, if the charging document in the case is not filed or is dismissed because it is found that the person acted in lawful self-defense pursuant to the provisions related to the justifiable use of force in chapter 776, F.S.; requiring a prosecutor, statewide prosecutor, or court to document and retain such findings; amending s. 943.0585, F.S.; requiring the Department of Law Enforcement to provide a certificate of eligibility for expunction, notwithstanding the eligibility requirements, to a person who has a written, certified statement from a prosecutor or statewide prosecutor indicating that the charging document in the case was not filed or was dismissed because it was found that the person acted in lawful self-defense pursuant to the provisions related to the justifiable use of force in chapter 776, F.S.; providing a penalty for knowingly providing false information on a sworn statement; providing applicability; requiring the department to adopt rules; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 448 as amended and 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 Smith moved the following amendment which failed:

Amendment 1 (306012) (with title amendment)—Delete lines 286-624.

And the title is amended as follows:

Delete lines 45-67 and insert: officer or correctional officer; providing an effective

On motion by Senator Evers, by two-thirds vote CS for CS for HB 89 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—7

Braynon	Legg	Smith
Bullard	Margolis	
Joyner	Ring	

Vote after roll call:

Yea—Brandes

Vote preference:

April 9, 2014: Yea to Nay—Sobel

EXPLANATION OF VOTE

Debbie Brown
Secretary of the Senate

April 3, 2014

Dear Secretary Brown:

I agree with the premise of this bill that 10-20-Life law is draconian and has been shown to produce absurd results. The best chance for fair results to occur is when a judge is able to weigh all the facts and make a decision, rather than being forced to render one-size-fits-all rulings in complex cases due to a statutory mandate. So, while I fully support the effort to address the inadequacies of the 10-20-Life law, I am concerned that doing so in the manner used in SB 448 in today's climate is not just wrong, but dangerous for Florida.

I fully support the fundamental right to self-defense. Florida law has never required anyone to flee in the face of imminent danger, and never required anyone to retreat if it meant endangering themselves or another.

The foreseeable consequences of this bill are that innocent people will be hurt through the neglect of others who will see it as their right to introduce deadly force into any conflict and under any circumstances, even if that means shooting into a crowd, in the middle of a busy highway, or randomly into the air. Introducing the mere threat of deadly violence into a situation unleashes uncertain results but an exponentially greater possibility of death. Stand Your Ground has already caused deadly shoot-outs, and we can only expect more senseless violence if this expansion of Stand Your Ground is approved.

Both the recent verdicts and revelations from jurors that they felt required to set a guilty man free have understandably upset many of our constituents and compromised the public's confidence in the integrity of our justice system. We cannot restore that confidence by adding more confusion to a flawed law and encouraging more recklessness – which is exactly what SB 448 promises.

Lastly, without an open public record, we would have no way of knowing whether an individual was truly in fear of his life, or someone who exploited the law for a violent agenda. Record of these incidents are critically needed to determine whether the law is working as intended.

If the true aim of this Legislature is to retool mandatory sentencing under 10-20-Life, this bill is not the way to go about it. It is less a measure to allow judges more discretion and more about broadening the right to shoot first in this state.

Sincerely,
Christopher L. Smith
Senator, District 31

SB 496—A bill to be entitled An act relating to warranty associations; amending ss. 634.121 and 634.312, F.S.; authorizing electronic transmission of service agreements and home warranties; providing requirements for electronic transmission; providing notice requirements; amending s. 634.406, F.S.; revising criteria authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; amending s. 634.414, F.S.; providing requirements for the delivery of service warranty contracts; providing notice requirements; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 496**, on motion by Senator Simpson, by two-thirds vote **HB 291** was withdrawn from the Committees on Banking and Insurance; and Commerce and Tourism.

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

HB 291—A bill to be entitled An act relating to warranty associations; amending ss. 634.121 and 634.312, F.S.; authorizing electronic transmission of service agreements and home warranties; providing requirements for electronic transmission; providing notice requirements; amending s. 634.406, F.S.; revising criteria authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability po-

licies that insure warranty associations; amending s. 634.414, F.S.; providing requirements for the delivery of service warranty contracts; providing notice requirements; providing an effective date.

—a companion measure, was substituted for **SB 496** and read the second time by title.

On motion by Senator Simpson, by two-thirds vote **HB 291** was read the third time by title, 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 208—A bill to be entitled An act relating to motorsports entertainment complexes; amending s. 212.20, F.S.; providing for a monthly distribution of a specified amount of sales tax revenue to a complex certified as a motorsports entertainment complex by the Department of Economic Opportunity; amending s. 288.1171, F.S.; authorizing the department to certify a single motorsports complex if it meets specified criteria; authorizing the Auditor General to verify the expenditure of specified distributions and to notify the Department of Revenue of improperly expended funds so that it may pursue recovery; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **CS for CS for SB 208** was passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Galvano	Richter
Abruzzo	Gardiner	Ring
Altman	Gibson	Sachs
Bean	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Bullard	Latvala	Stargel
Clemens	Margolis	Thompson
Dean	Montford	Thrasher
Evers	Negron	

Nays—5

Benacquisto	Flores	Lee
Diaz de la Portilla	Garcia	

Vote after roll call:

Yea—Detert, Legg, Simmons

CS for SJR 1188—A joint resolution proposing amendments to Sections 10 and 11 of Article V of the State Constitution to authorize the Governor to prospectively fill vacancies in certain judicial offices.

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

That the following amendments to Sections 10 and 11 of Article V of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE V

JUDICIARY

SECTION 10. Retention; election and terms.—

(a) Any justice or judge may qualify for retention by a vote of the electors in the general election next preceding the expiration of the justice's or judge's term in the manner prescribed by law. ~~When~~ *When* ~~if~~ a justice or judge is ineligible for retention or fails to qualify for retention, a prospective vacancy is deemed to occur at the conclusion of the qualifying period for retention for the purpose of appointing a successor justice or judge, and a vacancy shall exist in that office upon the expiration of the term being served by the justice or judge. When a justice or judge so qualifies, the ballot shall read substantially as follows: "Shall Justice (or Judge) _____ (name of justice or judge) of the _____ (name of the court) be retained in office?" If a majority of the qualified electors voting within the territorial jurisdiction of the court vote to retain, the justice or judge shall be retained for a term of six years. The term of the justice or judge retained shall commence on the first Tuesday after the first Monday in January following the general election. If a majority of the qualified electors voting within the territorial jurisdiction of the court vote to not retain, a prospective vacancy is deemed to occur immediately following the general election for the purpose of appointing a successor justice or judge, and a vacancy shall exist in that office upon the expiration of the term being served by the justice or judge.

(b)(1) The election of circuit judges shall be preserved notwithstanding the provisions of subsection (a) unless a majority of those voting in the jurisdiction of that circuit approves a local option to select circuit judges by merit selection and retention rather than by election. The election of circuit judges shall be by a vote of the qualified electors within the territorial jurisdiction of the court.

(2) The election of county court judges shall be preserved notwithstanding the provisions of subsection (a) unless a majority of those voting in the jurisdiction of that county approves a local option to select county judges by merit selection and retention rather than by election. The election of county court judges shall be by a vote of the qualified electors within the territorial jurisdiction of the court.

(3)a. A vote to exercise a local option to select circuit court judges and county court judges by merit selection and retention rather than by election shall be held in each circuit and county at the general election in the year 2000. If a vote to exercise this local option fails in a vote of the electors, such option shall not again be put to a vote of the electors of that jurisdiction until the expiration of at least two years.

b. After the year 2000, a circuit may initiate the local option for merit selection and retention or the election of circuit judges, whichever is applicable, by filing with the custodian of state records a petition signed by the number of electors equal to at least ten percent of the votes cast in the circuit in the last preceding election in which presidential electors were chosen.

c. After the year 2000, a county may initiate the local option for merit selection and retention or the election of county court judges, whichever is applicable, by filing with the supervisor of elections a petition signed by the number of electors equal to at least ten percent of the votes cast in the county in the last preceding election in which presidential electors were chosen. The terms of circuit judges and judges of county courts shall be for six years.

SECTION 11. Vacancies.—

(a)(1) Whenever a vacancy occurs in a judicial office to which election for retention applies, the governor shall fill the vacancy by appointing for a term ending on the first Tuesday after the first Monday in January of the year following the next general election occurring at least one year after the date of appointment, one of not fewer than three persons nor

more than six persons nominated by the appropriate judicial nominating commission.

(2) *Whenever a prospective vacancy occurs in a judicial office for which election for retention applies, the governor shall fill the prospective vacancy by appointing a justice or judge from among at least three persons but not more than six persons nominated by the appropriate judicial nominating commission. The term of the appointment commences upon the expiration of the term of the office being vacated and ends on the first Tuesday after the first Monday in January of the year following the next general election.*

(b) The governor shall fill each vacancy on a circuit court or on a county court, wherein the judges are elected by a majority vote of the electors, by appointing for a term ending on the first Tuesday after the first Monday in January of the year following the next primary and general election occurring at least one year after the date of appointment, one of not fewer than three persons nor more than six persons nominated by the appropriate judicial nominating commission. An election shall be held to fill that judicial office for the term of the office beginning at the end of the appointed term.

(c) The nominations shall be made within thirty days from the occurrence of a vacancy or prospective vacancy unless the period is extended by the governor for a time not to exceed thirty days. The governor shall make the appointment within sixty days after the nominations have been certified to the governor.

(d) There shall be a separate judicial nominating commission as provided by general law for the supreme court, each district court of appeal, and each judicial circuit for all trial courts within the circuit. Uniform rules of procedure shall be established by the judicial nominating commissions at each level of the court system. Such rules, or any part thereof, may be repealed by general law enacted by a majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring. Except for deliberations of the judicial nominating commissions, the proceedings of the commissions and their records shall be open to the public.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTIONS 10, 11

PROSPECTIVE APPOINTMENT OF CERTAIN JUDICIAL VACANCIES. Proposing an amendment to the State Constitution requiring the Governor to prospectively fill vacancies in a judicial office to which election for retention applies resulting from the justice's or judge's reaching the mandatory retirement age or failure to qualify for a retention election; and allowing prospective appointments if a justice or judge is not retained at an election. Currently, the Governor may not fill an expected vacancy until the current justice's or judge's term expires.

—was read the third time by title.

On motion by Senator Lee, **CS for SJR 1188** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Evers	Lee
Altman	Flores	Legg
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gardiner	Simmons
Brandes	Grimsley	Simpson
Dean	Hays	Stargel
Detert	Hukill	Thrasher
Diaz de la Portilla	Latvala	

Nays—14

Abruzzo	Bullard	Gibson
Braynon	Clemens	Joyner

Margolis	Sachs	Soto
Montford	Smith	Thompson
Ring	Sobel	

SENATOR GARDINER PRESIDING

Consideration of **CS for SB 260** was deferred.

CS for SB 262—A bill to be entitled An act relating to motorist safety; authorizing the governing body of a county to create a yellow dot critical motorist medical information program for certain purposes; authorizing a county to solicit sponsorships and enter into an interlocal agreement with another county to solicit such sponsorships for the medical information program; authorizing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to provide education and training and publicize the program; requiring the program to be free to participants; providing for yellow dot program applications, decals, folders, and participant information forms; providing procedures for use of the decal, folder, and form; providing for limited use of information on the forms by emergency medical responders; requiring the governing body of a participating county to adopt guidelines and procedures to ensure that confidential information is not made public; providing an effective date.

—was read the third time by title.

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

Amendment 1 (670330) (with title amendment)—Delete lines 44-65 and insert:

(3) *Any owner or lessee of a motor vehicle may request to participate in the program in the manner prescribed by the governing body of the county. A participant shall receive a yellow dot decal, a yellow dot folder, and a form on which the participant shall provide his or her personal and medical information.*

(a) *The form must include a statement that the information provided will be disclosed only to authorized personnel of law enforcement and public safety agencies, emergency medical services agencies, and hospitals for the purposes authorized in subsection (5).*

(b) *The form must describe the confidential nature of the medical information voluntarily provided by the participant and must include a notice to the participant stating that, by providing the medical information and signing the form, he or she agrees to the disclosure of the medical information to authorized personnel and their use of such information solely for the purposes listed in subsection (5).*

(c) *The county may not charge a fee to participate in the yellow dot program.*

(4)(a) *The participant shall affix the decal onto the rear*

And the title is amended as follows:

Delete line 13 and insert: yellow dot program decals, folders, and

On motion by Senator Abruzzo, **CS for SB 262** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—38

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

Simmons	Sobel	Thompson
Simpson	Soto	Thrasher
Smith	Stargel	

Nays—None

Vote after roll call:

Yea—Garcia

CS for CS for SB 590—A bill to be entitled An act relating to money services businesses; amending s. 560.111, F.S.; providing that failing to provide certain information relating to a check cashing transaction is a felony; reenacting and amending s. 560.114, F.S.; updating cross-references; authorizing the Office of Financial Regulation to summarily suspend a license if criminal charges are filed against certain persons or such persons are arrested for certain offenses; amending s. 560.1235, F.S.; updating cross-references; amending s. 560.125, F.S.; providing that a deferred presentment transaction conducted by an unauthorized person is void; amending ss. 560.1401, 560.141, and 560.309, F.S.; updating cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for SB 590** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	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
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Altman

CS for CS for SB 670—A bill to be entitled An act relating to nursing home litigation; amending s. 400.023, F.S.; specifying that a cause of action for negligence or violation of residents' rights alleging direct or vicarious liability for the injury or death of a nursing home resident may be brought against a licensee, its management or consulting company, its managing employees, and any direct caregiver employees or contractors; providing that a cause of action may not be asserted against other individuals or entities except under certain circumstances; revising related judicial procedures; defining terms; amending s. 400.0237, F.S.; providing that a claim for punitive damages may not be brought unless there is a showing of evidence that provides a reasonable basis for recovery of such damages when certain criteria are applied; requiring the court to conduct a hearing to determine whether there is sufficient evidence to demonstrate that the recovery of punitive damages is warranted; requiring the trier of fact to find that a specific person or corporate defendant participated in or engaged in conduct that constituted gross negligence and contributed to the damages or injury suffered by the claimant before a defendant may be held liable for punitive damages; requiring an officer, director, or manager of the employer, corporation, or legal entity to condone, ratify, or consent to specified conduct before holding such person or entity vicariously liable for punitive damages; creating s. 400.024, F.S.; authorizing the Agency for Health Care Administration to revoke the license or deny a license renewal or change of ownership application of a nursing home facility that fails to pay a judgment or settlement agreement; providing for notification to the

agency of such failure and for agency notification to the licensee of disciplinary action; providing licensee grounds for overcoming failure to pay; authorizing the agency to issue an emergency order and notice of intent to revoke or deny a license; authorizing the agency to deny a license renewal and requiring the agency to deny a change of ownership; amending s. 400.145, F.S.; revising procedures for obtaining the records of a resident; specifying which records may be obtained and who may obtain them; providing immunity from liability to a facility that provides such records in good faith; providing that the agency may not cite a facility that does not meet these records requirements; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Thrasher, **CS for CS for SB 670** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—3

Evers Hukill Joyner

Vote after roll call:

Yea—Richter

CS for SB 182—A bill to be entitled An act relating to child pornography; amending s. 775.0847, F.S.; redefining the term “child pornography” and defining the term “minor”; amending s. 827.071, F.S.; defining the terms “child pornography” and “minor”; conforming cross-references; including possession of child pornography within specified criminal offenses; providing criminal penalties; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; amending ss. 947.1405 and 948.30, F.S.; prohibiting certain conditional releasees, probationers, or community controllees from viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating material; providing an exception; reenacting s. 794.0115(2), F.S., relating to dangerous sexual felony offenders and mandatory sentencing thereof, to incorporate the amendment to s. 827.071, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for SB 182** was passed 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 256—A bill to be entitled An act relating to public records; creating s. 916.1065, F.S.; creating an exemption from public records requirements for a forensic behavioral health evaluation filed with a court; providing a definition for the term “forensic behavioral health evaluation”; providing retroactive application; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for SB 256** 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	Evers	Negron
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	

Nays—None

Vote after roll call:

Yea—Joyner

SB 308—A bill to be entitled An act relating to public assistance fraud; amending s. 414.411, F.S.; authorizing the Department of Financial Services to administer oaths and affirmations and issue and serve subpoenas when conducting investigations into public assistance fraud; providing a penalty; providing for award of attorney fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **SB 308** 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 320—A bill to be entitled An act relating to commercial parasailing; providing a short title; amending s. 327.02, F.S.; defining terms; creating s. 327.375, F.S.; requiring the operator of a vessel engaged in commercial parasailing to ensure that specified requirements are met; requiring the owner of a vessel engaged in commercial parasailing to obtain and maintain an insurance policy; providing minimum coverage requirements for the insurance policy; providing requirements for proof of insurance; specifying the insurance information that must be provided upon request; requiring the operator to have a current and valid license issued by the United States Coast Guard; prohibiting commercial parasailing unless certain equipment is present on the vessel and certain weather conditions are met; requiring that a weather log be maintained and made available for inspection; providing a criminal penalty; amending ss. 320.08, 327.391, 328.17, 342.07, 713.78, and 715.07, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Sachs, **SB 320** 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

On motion by Senator Hays, by unanimous consent—

SM 476—A memorial to the Congress of the United States, applying to Congress to call a convention for the sole purpose of proposing amendments to the Constitution of the United States which impose fiscal restraints on the Federal Government, limit the power and jurisdiction of the Federal Government, and limit the terms of office for federal officials and members of Congress.

—was taken up out of order and read the second time by title. On motion by Senator Hays, **SM 476** was adopted and certified to the House.

On motion by Senator Abruzzo, by unanimous consent—

SM 576—A memorial to the Congress of the United States, urging Congress to restore funding for the Supportive Housing for the Elderly Program.

—was taken up out of order and read the second time by title. On motion by Senator Abruzzo, **SM 576** was adopted and certified to the House.

On motion by Senator Stargel, by unanimous consent—

SM 658—A memorial to the Congress of the United States, applying to Congress to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States which requires a balanced federal budget.

—was taken up out of order and read the second time by title. On motion by Senator Stargel, SM 658 was adopted and certified to the House.

SB 2500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2014, and ending June 30, 2015, to pay salaries, and other expenses, capital outlay-buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

THE PRESIDENT PRESIDING

SENATOR GARDINER PRESIDING

THE PRESIDENT PRESIDING

Senator Negron moved the following amendment which was adopted:

Amendment 1 (995057)—

Table with columns DELETED and INSERT. Row 1: EDUCATION, DEPARTMENT OF Florida Colleges, Division Of Program: Florida Colleges 48400600. Row 2: In Section 02 On Page 034 126 Aid To Local Governments 050217 Grants And Aids - Florida College System Program Fund IOEB. Row 3: 1000 General Revenue Fund 863,352,997 866,803,546 CA 3,450,549 FSI1 3,450,549

Immediately following Specific Appropriation 126, DELETE:

Funds provided in Specific Appropriation 126 are provided for operating funds and approved baccalaureate programs, and shall be allocated as follows:

Table listing college names and amounts. Includes Eastern Florida State College (32,344,185), Broward College (65,020,671), College of Central Florida (16,591,922), Chipola College (8,719,804), Daytona State College (39,414,667), Edison State College (23,697,783), Florida State College at Jacksonville (61,033,491), Florida Keys Community College (5,053,281), Gulf Coast State College (16,743,493), Hillsborough Community College (44,225,273), Indian River State College (36,029,985), Florida Gateway College (10,278,548), Lake-Sumter State College (10,221,040), State College of Florida, Manatee-Sarasota (17,370,826), Miami Dade College (133,728,133), North Florida Community College (5,589,616), Northwest Florida State College (14,642,902), Palm Beach State College (43,065,491), Pasco-Hernando Community College (21,427,238), Pensacola State College (26,627,902), Polk State College (20,736,366), Saint Johns River State College (13,758,942), Saint Petersburg College (51,296,067), Santa Fe College (27,465,202), Seminole State College of Florida (29,357,371), South Florida State College (12,256,612), Tallahassee Community College (24,139,374), Valencia College (52,516,812)

Immediately following Specific Appropriation 126, INSERT:

Funds provided in Specific Appropriation 126 are provided for operating funds and approved baccalaureate programs, and shall be

allocated as follows:

Table listing college names and amounts. Includes Eastern Florida State College (32,367,473), Broward College (65,231,054), College of Central Florida (16,647,230), Chipola College (8,755,529), Daytona State College (39,639,340), Edison State College (23,857,092), Florida State College at Jacksonville (61,375,397), Florida Keys Community College (5,053,281), Gulf Coast State College (16,758,312), Hillsborough Community College (44,225,273), Indian River State College (36,345,692), Florida Gateway College (10,282,517), Lake-Sumter State College (10,229,773), State College of Florida, Manatee-Sarasota (17,471,387), Miami Dade College (134,231,464), North Florida Community College (5,589,616), Northwest Florida State College (14,738,699), Palm Beach State College (43,215,803), Pasco-Hernando Community College (21,427,238), Pensacola State College (26,688,503), Polk State College (20,900,174), Saint Johns River State College (13,802,342), Saint Petersburg College (51,964,795), Santa Fe College (27,567,880), Seminole State College of Florida (29,488,894), South Florida State College (12,267,991), Tallahassee Community College (24,139,374), Valencia College (52,541,423)

Universities, Division Of Program: Educational And General Activities 48900100

In Section 02 On Page 039 143 Aid To Local Governments 052310 Grants And Aids - Education And General Activities IOEB

Table with columns 1000 General Revenue Fund 1,610,836,321 1,607,385,772 CA -3,450,549 FSI1 -3,450,549

In Section 02, on Page 39, DELETE the following:

Funds in Specific Appropriation 143 from the General Revenue Fund shall be allocated as follows:

Table with columns University of Florida 279,087,010 Florida State University 247,706,273

In Section 02, on Page 39, INSERT the following:

Funds in Specific Appropriation 143 from the General Revenue Fund shall be allocated as follows:

Table with columns University of Florida 277,361,735 Florida State University 245,980,999

Senator Stargel moved the following amendment which was adopted:

Amendment 2 (995062)—

Table with columns DELETED and INSERT. Row 1: EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - Non FEPP 48250400. Row 2: In Section 02 On Page 027 110 Special Categories 104026 Grants And Aids - Strategic Statewide Initiatives IOEB

Table with columns 1000 General Revenue Fund 18,415,000 18,415,000 CA 0

DELETE the proviso immediately following Specific Appropriation 110:

Funds in Specific Appropriation 110 shall be allocated as follows:

Safe Schools Security Assessments.....	15,000
Personalized Accounts for Learning.....	18,400,000

Funds in Specific Appropriation 110 for Safe Schools Security Assessments are provided to maintain the security assessment tool used by school officials at public schools to conduct security assessments throughout the state.

Funds in Specific Appropriation 110 for Personalized Accounts for Learning shall be transferred by the Department of Education for awards to a separate account as provided in Senate Bill 1512. The funds in Specific Appropriation 110 for Personalized Accounts for Learning shall be contingent on the passage of Senate Bill 1512.

AND INSERT:

Funds in Specific Appropriation 110 shall be allocated as follows:

Safe Schools Security Assessments.....	15,000
Personal Learning Scholarship Accounts.....	18,400,000

Funds in Specific Appropriation 110 for Safe Schools Security Assessments are provided to maintain the security assessment tool used by school officials at public schools to conduct security assessments throughout the state.

Funds in Specific Appropriation 110 for Personal Learning Scholarship Accounts shall be transferred to the Agency for Persons with Disabilities for the program created by Senate Bill 1512. The appropriation is contingent on Senate Bill 1512 or similar legislation becoming law.

Senator Thrasher moved the following amendment which was adopted:

Amendment 3 (995066)—

	DELETE	INSERT
EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: Workforce Education 48250800		
In Section 02 On Page 030 120 Aid To Local Governments 050035 Performance Based Incentives IOEB		
1000 General Revenue Fund CA -3,000,000 FSI1 -3,000,000	8,000,000	5,000,000

DELETE the proviso following Specific Appropriation 120:

From the funds in Specific Appropriation 120, \$3,000,000 shall be provided to district adult education programs based on student performance as measured by learning gains, placements, and special populations served and shall be allocated as follows:

Alachua.....	4,421
Baker.....	6,845
Bay.....	23,753
Bradford.....	4,212
Brevard.....	79,324
Broward.....	448,540
Calhoun.....	2,089
Charlotte.....	10,941
Citrus.....	16,815
Clay.....	23,030
Collier.....	43,916
Columbia.....	11,028
Miami-Dade.....	710,558
DeSoto.....	9,880
Dixie.....	341
Escambia.....	20,069

Flagler.....	16,148
Gadsden.....	1,468
Glades.....	35
Gulf.....	1,754
Hamilton.....	1,491
Hardee.....	4,050
Hendry.....	7,738
Hernando.....	10,005
Hillsborough.....	260,307
Indian River.....	13,353
Jackson.....	6,220
Jefferson.....	503
Lafayette.....	1,651
Lake.....	32,894
Lee.....	86,797
Leon.....	41,699
Liberty.....	3,218
Madison.....	1,639
Manatee.....	37,673
Marion.....	39,020
Martin.....	9,340
Monroe.....	11,027
Nassau.....	13,897
Orange.....	171,902
Osceola.....	48,579
Palm Beach.....	204,678
Pasco.....	55,501
Pinellas.....	284,894
Polk.....	71,272
Putnam.....	1,385
Saint Johns.....	19,108
Santa Rosa.....	17,864
Sarasota.....	70,185
Sumter.....	1,580
Suwannee.....	6,528
Taylor.....	5,200
Union.....	3,352
Wakulla.....	3,700
Walton.....	4,322
Washington.....	12,261

Universities, Division Of Program: Educational And General Activities 48900100			
In Section 02 On Page 039 143 Aid To Local Governments 052310 Grants And Aids - Education And General Activities IOEB			
1000 General Revenue Fund CA 3,000,000 FSI1 3,000,000	1,610,836,321	1,613,836,321	

DELETE the proviso following Specific Appropriation 143:

Funds in Specific Appropriation 143 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	279,087,010
Florida State University.....	247,706,273
Florida A&M University.....	80,744,181
University of South Florida.....	169,957,954
University of South Florida, St. Petersburg.....	20,514,526
University of South Florida, Sarasota/Manatee.....	10,831,272
Florida Atlantic University.....	116,363,557
University of West Florida.....	69,067,017
University of Central Florida.....	205,334,321
Florida International University.....	155,978,256
University of North Florida.....	62,279,433
Florida Gulf Coast University.....	46,449,065
New College of Florida.....	16,288,785
Florida Polytechnic University.....	30,234,671
State University Performance Based Incentives.....	100,000,000

AND INSERT:

Funds in Specific Appropriation 143 from the General Revenue Fund

In Section 03 On Page 067
 330A Special Categories 100778
 Grants And Aids - Contracted Services IOEB

1000 General Revenue Fund 1,200,000 1,210,000
 CA 10,000 FSI1NR 10,000

At the end of existing proviso language, following Specific Appropriation 330A, INSERT:

From the funds in Specific Appropriation 330A, \$10,000 in nonrecurring funds from the General Revenue Fund is provided to Children of Inmates, Inc. to provide care coordination services to foster care children in the Jacksonville area that have a parent incarcerated in prison or jail.

Senator Garcia moved the following amendment which was adopted:

Amendment 8 (995073)—

	DELETE	INSERT
ELDER AFFAIRS, DEPARTMENT OF Program: Services To Elders Program Home And Community Services 65100400		
In Section 03 On Page 080 413 Special Categories 100604 Grants And Aids - Older Americans Act Program IOEB		
1000 General Revenue Fund 11,472,809 11,472,809 CA 0		

DELETE the proviso following Specific Appropriation 413:

From the funds in Specific Appropriation 413, the following projects are funded with nonrecurring funds from the General Revenue Fund:

Little Havana Activity Center Adult Day Care.....	40,000
City of Hialeah - Hot Meals.....	100,000
Little Havana Activity Center - Local Services Program (LSP)	25,000
Aging True Community Senior Services.....	20,000
LSP Sisters & Brothers Forever.....	25,000
Little Havana Activities Center	250,000
Tampa Jewish Community & Federation Project.....	3,200,000

AND INSERT:

From the funds in Specific Appropriation 413, the following projects are funded with nonrecurring funds from the General Revenue Fund:

Little Havana Activity Center Adult Day Care.....	40,000
City of Hialeah - Hot Meals.....	100,000
Little Havana Activity Center - Local Services Program (LSP)	25,000
Aging True Community Senior Services.....	20,000
LSP Sisters & Brothers Forever.....	25,000
Little Havana Activities Center	200,000
Tampa Jewish Community & Federation Project.....	3,200,000
City of Miami Springs Hot Meals Program.....	50,000

Amendment 9 (995075) was withdrawn.

Amendment 10 (995076) was withdrawn.

Senator Bradley moved the following amendment which was adopted:

Amendment 11 (995065)—

	DELETE	INSERT
--	--------	--------

LEGAL AFFAIRS, DEPARTMENT OF, AND
ATTORNEY GENERAL
Program: Office Of Attorney General
Victim Services 41100400

In Section 04 On Page 184

1322 Special Categories 100777
Contracted Services IOEA

1000 General Revenue Fund 2,890,192 2,965,192
CA 75,000 FSI1NR 75,000

At the end of existing proviso language, following Specific Appropriation 1322, INSERT:

From the funds in Specific Appropriation 1322, \$75,000 in nonrecurring general revenue funds is provided for a statewide public education campaign on television and radio for educating the public about the dangers and indicators of human trafficking and the methods of reporting these crimes to law enforcement agencies. These funds shall be provided to a non-profit organization and must be matched on a three to one basis.

CORRECTIONS, DEPARTMENT OF
Program: Security And Institutional
Operations

Correctional Facilities Maintenance And
Repair 70032000

In Section 04 On Page 118
731 Fixed Capital Outlay 083258
Major Repairs, Renovations And
Improvements To Major Institutions IOEJ

1000 General Revenue Fund 1,400,000 1,325,000
CA -75,000 FSI1NR -75,000

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 12 (995055)—

	DELETE	INSERT
--	--------	--------

STATE, DEPARTMENT OF
Program: Historical Resources
Historical Resources Preservation And
Exhibition 45200700

In Section 06 On Page 362
3107 Special Categories 101548
Grants And Aids - Historic Preservation
Grants IOEB

1000 General Revenue Fund 1,844,301 2,049,301
CA 205,000 FSI1NR 205,000

At the end of existing proviso language, following Specific Appropriation 3107, INSERT:

Historic Fulford Fountain Renovation, North Miami Beach.....205,000

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 286

2252 Lump Sum 098019
Economic Development Tools IOEA

1000 General Revenue Fund 8,950,000 8,745,000
CA -205,000 FSI1NR -205,000

Senators Diaz de la Portilla and Garcia offered the following amendment which was moved by Senator Diaz de la Portilla and adopted:

Amendment 13 (995056)—

	DELETE	INSERT
--	--------	--------

TRANSPORTATION, DEPARTMENT OF

Transportation Systems Operations
Program: Highway Operations 55150200

2252 Lump Sum 098019
Economic Development Tools IOEA

In Section 05 On Page 251
1924 Fixed Capital Outlay 088865
Economic Development Transportation
Projects - Road Fund IOEK

2041 State Economic Enhancement And 58,350,000 57,350,000
Development Trust Fund
CA -1,000,000 FSI1NR -1,000,000

At the end of existing proviso language, following Specific
Appropriation 1924, INSERT:

Broad Causeway - Town of Bay Harbor Islands.....1,000,000

Senator Diaz de la Portilla moved the following amendment which was
adopted:

Senator Bullard moved the following amendment which was adopted:

Amendment 15 (995063)—

Amendment 14 (995054)—

	DELETE	INSERT
ECONOMIC OPPORTUNITY, DEPARTMENT OF Program: Community Development Housing And Community Development 40300200		
In Section 06 On Page 283 2242A Special Categories 100931 Grants And Aids - Housing And Community Development Projects IOEB		
2041 State Economic Enhancement And Development Trust Fund CA 1,000,000 FSI1NR 1,000,000	7,686,660	8,686,660

	DELETE	INSERT
ECONOMIC OPPORTUNITY, DEPARTMENT OF Program: Community Development Housing And Community Development 40300200		
In Section 06 On Page 283 2242A Special Categories 100931 Grants And Aids - Housing And Community Development Projects IOEB		
2041 State Economic Enhancement And Development Trust Fund CA 500,000 FSI1NR 500,000	7,686,660	8,186,660

Immediately following Specific Appropriation 2242A, DELETE:

The remaining funds provided in Specific Appropriation 2242A from the
State Economic Enhancement and Development Trust Fund are allocated as
follows:

Miracle League of Miami Dade - Miracle Field.....	200,000
Building Homes for Heroes.....	1,000,000
Clearwater Marine Aquarium - Downtown Facility Construction.....	1,000,000
Senior Energy Efficiency Program - Gadsden County.....	110,000
Paddling Trails - Kayak and Canoe Launch Projects - Wakulla County.....	525,000
St. Marks Municipal Dock - Wakulla County.....	1,051,660
Oviedo Amphitheater - City of Oviedo.....	1,500,000
Metropolitan Ministries Transitional Housing Shelter - Pasco County.....	100,000
Nature Coast Educational Plaza - Hernando County.....	200,000
PARC, Inc. - Pinellas County.....	250,000

AND INSERT:

The remaining funds provided in Specific Appropriation 2242A from the
State Economic Enhancement and Development Trust Fund are allocated as
follows:

Miracle League of Miami Dade - Miracle Field.....	200,000
Building Homes for Heroes.....	1,000,000
Clearwater Marine Aquarium - Downtown Facility Construction.....	1,000,000
Senior Energy Efficiency Program - Gadsden County.....	110,000
Paddling Trails - Kayak and Canoe Launch Projects - Wakulla County.....	525,000
St. Marks Municipal Dock - Wakulla County.....	1,051,660
Oviedo Amphitheater - City of Oviedo.....	1,500,000
Metropolitan Ministries Transitional Housing Shelter - Pasco County.....	100,000
Nature Coast Educational Plaza - Hernando County.....	200,000
PARC, Inc. - Pinellas County.....	250,000
Village Hall Renovation - Biscayne Park.....	1,000,000

Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 286

Immediately following Specific Appropriation 2242A, DELETE:

The remaining funds provided in Specific Appropriation 2242A from the
State Economic Enhancement and Development Trust Fund are allocated as
follows:

Miracle League of Miami Dade - Miracle Field.....	200,000
Building Homes for Heroes.....	1,000,000
Clearwater Marine Aquarium - Downtown Facility Construction.....	1,000,000
Senior Energy Efficiency Program - Gadsden County.....	110,000
Paddling Trails - Kayak and Canoe Launch Projects - Wakulla County.....	525,000
St. Marks Municipal Dock - Wakulla County.....	1,051,660
Oviedo Amphitheater - City of Oviedo.....	1,500,000
Metropolitan Ministries Transitional Housing Shelter - Pasco County.....	100,000
Nature Coast Educational Plaza - Hernando County.....	200,000
PARC, Inc. - Pinellas County.....	250,000

AND INSERT:

The remaining funds provided in Specific Appropriation 2242A from the
State Economic Enhancement and Development Trust Fund are allocated as
follows:

Miracle League of Miami Dade - Miracle Field.....	200,000
Building Homes for Heroes.....	1,000,000
Clearwater Marine Aquarium - Downtown Facility Construction.....	1,000,000
Senior Energy Efficiency Program - Gadsden County.....	110,000
Paddling Trails - Kayak and Canoe Launch Projects - Wakulla County.....	525,000
St. Marks Municipal Dock - Wakulla County.....	1,051,660
Oviedo Amphitheater - City of Oviedo.....	1,500,000
Metropolitan Ministries Transitional Housing Shelter - Pasco County.....	100,000
Nature Coast Educational Plaza - Hernando County.....	200,000
PARC, Inc. - Pinellas County.....	250,000
Rebuilding Together of Miami-Dade, Inc.....	500,000

Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 286
2252 Lump Sum 098019
Economic Development Tools IOEA

2041 State Economic Enhancement And 58,350,000 57,850,000
Development Trust Fund
CA -500,000 FSI1NR -500,000

Senator Margolis moved the following amendment which was adopted:

Amendment 16 (995064)—

1924 Fixed Capital Outlay 088865
Economic Development Transportation
Projects - Road Fund IOEK

DELETE INSERT

STATE, DEPARTMENT OF
Program: Cultural Affairs
Cultural Affairs 45500300

At the end of existing proviso language, following Specific
Appropriation 1924, INSERT:

CR 466A Widening - Fruitland Park.....1,000,000
Citrus Grove Road Phase I1,000,000

Senator Gardiner moved the following amendment which was adop-
ted:

Amendment 19 (995071)—

DELETE INSERT

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Development
Florida Rail Enterprise 55100500

In Section 05 On Page 248
1890 Fixed Capital Outlay 088808
Rail Development/Grants IOEK

Immediately following Specific Appropriation 1890, INSERT:

From the funds in Specific Appropriation 1890, \$10,000,000 is provided
for Quiet Zone improvements in response to the use of locomotive horns
at highway-rail grade crossings. The department will create a grant
program for quiet zones requested by local agencies and will provide
funding of up to 50 percent of the nonfederal and nonprivate share of
the total costs of any qualifying quiet zone capital improvement
project. The department will coordinate and work closely with local,
state, and federal agencies to provide technical support to local
agencies for the development of quiet zone plans.

Local agencies may apply for grant funds after its quiet zone plan is
approved by the department.

The Department of Transportation will monitor crossing incidents at
approved quiet zone locations and have the right to revoke the quiet
zone(s) at any time if a significant deterioration in safety results
from quiet zone implementation.

Senator Detert moved the following amendment which was adopted:

Amendment 20 (995072)—

DELETE INSERT

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 287
2256A Special Categories 100562
Economic Development Projects IOEA

2041 State Economic Enhancement And 3,675,000 3,925,000
Development Trust Fund
CA 250,000 FSI1NR 250,000

Immediately following Specific Appropriation 2256A, DELETE:

The nonrecurring State Economic Enhancement and Development Trust Funds
provided in Specific Appropriation 2256A are allocated as follows:

National Entrepreneur Center..... 600,000
Grow Tampa Bay Tech - Tampa Bay Technology Forum..... 375,000
Tampa Bay Innovation Training Center - Skills Initiative.... 1,150,000
Jacksonville Women's Business Center / Jacksonville Chamber
Foundation..... 50,000
Urban League of Broward County..... 1,500,000

AND INSERT:

3146A Grants And Aids To Local Governments And 140015
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Special Categories -
Cultural Facilities Program IOEM
1000 General Revenue Fund 6,831,584 6,931,584
CA 100,000 FSI1NR 100,000

At the end of existing proviso language, following Specific
Appropriation 3146A, INSERT:

The Miami Women's Club Renovations100,000

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 286
2252 Lump Sum 098019
Economic Development Tools IOEA

1000 General Revenue Fund 8,950,000 8,850,000
CA -100,000 FSI1NR -100,000

Senator Detert moved the following amendment which was adopted:

Amendment 17 (995068)—

DELETE INSERT

ECONOMIC OPPORTUNITY, DEPARTMENT OF
Program: Strategic Business Development
Strategic Business Development 40400100

In Section 06 On Page 286
2252 Lump Sum 098019
Economic Development Tools IOEA

2041 State Economic Enhancement And 58,350,000 58,350,000
Development Trust Fund
CA 0

At the end of existing proviso language, following Specific
Appropriation 2252, INSERT:

From the State Economic Enhancement and Development Trust Fund in
Specific Appropriation 2252, \$20 million shall be allocated for film and
entertainment projects as defined in section 288.1254, Florida Statutes.
After the maximum available tax credits authorized in section
288.1254(7), Florida Statutes, has been awarded to qualified
productions, Enterprise Florida, Inc., shall use funds from this \$20
million allocation to award contracts under the incentive programs
enumerated above to qualified productions which have successfully
completed the application process in section 288.1258, Florida Statutes.

Senator Hays moved the following amendment which was adopted:

Amendment 18 (995070)—

DELETE INSERT

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Operations
Program: Highway Operations 55150200

In Section 05 On Page 251

The nonrecurring State Economic Enhancement and Development Trust Funds provided in Specific Appropriation 2256A are allocated as follows:

DELETE INSERT

National Entrepreneur Center.....	600,000	
Grow Tampa Bay Tech - Tampa Bay Technology Forum.....	375,000	
Tampa Bay Innovation Training Center - Skills Initiative....	1,150,000	
Jacksonville Women's Business Center / Jacksonville Chamber Foundation.....	50,000	
Urban League of Broward County.....	1,500,000	
Modern Pentathlon - 2014 World Cup Finals, Sarasota-Bradenton	250,000	

2252 In Section 06 On Page 286
Lump Sum 098019
Economic Development Tools IOEA

2041 State Economic Enhancement And Development Trust Fund	58,350,000	58,100,000
CA -250,000 FSI1NR -250,000		

Amendment 21 (995060) was withdrawn.

Senator Hays moved the following amendment:

Amendment 22 (995061)—

DELETE INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Management 37350400

1668A In Section 05 On Page 224 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Grants And Aids - Water Projects IOEM	140047	
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1000 General Revenue Fund	43,397,714	43,297,714
CA -100,000 FSI1NR -100,000		

DELETE the following project from the proviso following Specific Appropriation 1668A:

St Johns River Study - Marine Science Resource Institute
Jacksonville University.....500,000

At the end of existing proviso language, following Specific Appropriation 1668A, INSERT:

St Johns River Study - Marine Science Resource Institute
Jacksonville University.....400,000

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE
Program: Agricultural Economic

Development
Agricultural Products Marketing 42170200

1484C In Section 05 On Page 000 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Grants And Aids - Florida Agricultural Museum IOEM	146020	
--	--------	--

1000 General Revenue Fund		100,000
CA 100,000 FSI1NR 100,000		

Amendment to Amendment 22 (995079) was withdrawn.

The question recurred on Amendment 22 (995061) which was adopted.

Senator Flores moved the following amendment which was adopted:

Amendment 23 (995069)—

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF
AGRICULTURE
Program: Office Of The Commissioner And Administration
Agricultural Water Policy Coordination 42010200

1390 In Section 05 On Page 192
Special Categories 104127
Agricultural Nonpoint Sources Best Management Practices Implementation IOEA

At the end of existing proviso language, following Specific Appropriation 1390, INSERT:

From the funds in Specific Appropriation 1390, \$100,000 in nonrecurring funds from the General Inspection Trust Fund is provided for operations and maintenance for the Bessey Creek hybrid wetland/chemical treatment project.

From the funds in Specific Appropriation 1390, \$100,000 in nonrecurring funds from the General Inspection Trust Fund is provided for an additional 15 cfs hybrid wetland/chemical treatment project, which shall be the same as the existing Department of Agriculture and Consumer Services' facilities located in the Northern Everglades, in the area tributary to Deep Creek in St. Johns County.

From the funds in Specific Appropriation 1390, \$100,000 in nonrecurring funds from the General Inspection Trust Fund is provided for a hybrid wetland/chemical treatment project, which shall be the same as the existing Department of Agriculture and Consumer Services' facilities located in the Northern Everglades pursuant to section 373.4595(3)(b), Florida Statutes.

From the funds in Specific Appropriation 1390, \$100,000 in nonrecurring funds from the General Inspection Trust Fund is provided for a floating aquatic vegetative tilling treatment project, which shall be the same as deployed within the Hendry Hilliard Drainage District in the Southern Caloosahatchee River Basin, within the Northern Everglades pursuant to section 373.4595(3)(b), Florida Statutes.

Amendment 24 (995074) was withdrawn.

Late-filed Amendment 25 (995081) was withdrawn.

Late-filed Amendment 26 (995082) was withdrawn.

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

Senator Thompson moved the following amendment which failed:

Amendment 27 (995083)—

DELETE INSERT

EDUCATION, DEPARTMENT OF
Public Schools, Division Of
Program: State Grants/K-12 Program - Non FEPP 48250400

111 In Section 02 On Page 027
Special Categories 104052
Grants And Aids - School And Instructional Enhancements IOEB

1000 General Revenue Fund	15,187,443	15,872,443
CA 685,000 FSI1 685,000		

Following Specific Appropriation 111, DELETE:

Funds in Specific Appropriation 111 shall be allocated as follows:

Academic Tourney.....	65,476
African American Task Force.....	100,000

Arts for a Complete Education.....	110,952
Black Male Explorers.....	314,701
Culinary Training/Professional Training Kitchen.....	100,000
Florida Holocaust Museum.....	300,000
Girl Scouts of Florida.....	250,000
Holocaust Task Force.....	100,000
Knowledge is Power Program (KIPP) Jacksonville.....	900,000
Lauren's Kids.....	1,000,000
Learning for Life.....	1,419,813
Project to Advance School Success (PASS).....	608,983
State Science Fair.....	72,032
Northwest Florida Ballet Public School.....	247,471
In Search of Me Cafe.....	100,000
Project SOS Expansion.....	301,184
YMCA Youth in Government.....	200,000
Florida Youth Challenge Academy.....	750,000
Sandra DeLuca Development Center.....	200,000
Here's Help Opa-Locka.....	500,000
Governor's School for Space Science and Technology.....	500,000
Pasco Regional STEM School.....	1,500,000
Pinellas Education Foundation - Career Path Planning.....	250,000
AVID Highlands County.....	520,203
Destination Graduation.....	500,000
Marie Selby Botanical Gardens.....	500,000
Jobs for Florida's Graduates.....	500,000
Sexual Risk Avoidance Education Program.....	200,000
Florida Children's Initiative.....	1,500,000
Glades Career Readiness/West Tech Construction Academy.....	426,628
SRI International Middle School Digital Mathematics.....	1,000,000
MBF Boat Safety/CPR Program.....	100,000
Visible Men Academy.....	50,000

AND INSERT:

Funds in Specific Appropriation 111 shall be allocated as follows:

Academic Tourney.....	65,476
African American Task Force.....	100,000
Arts for a Complete Education.....	110,952
Black Male Explorers.....	314,701
Culinary Training/Professional Training Kitchen.....	100,000
Florida Holocaust Museum.....	300,000
Girl Scouts of Florida.....	250,000
Holocaust Task Force.....	100,000
Knowledge is Power Program (KIPP) Jacksonville.....	900,000
Lauren's Kids.....	1,000,000
Learning for Life.....	1,419,813
Project to Advance School Success (PASS).....	608,983
State Science Fair.....	72,032
Northwest Florida Ballet Public School.....	247,471
In Search of Me Cafe.....	100,000
Project SOS Expansion.....	301,184
YMCA Youth in Government.....	200,000
Florida Youth Challenge Academy.....	750,000
Sandra DeLuca Development Center.....	200,000
Here's Help Opa-Locka.....	500,000
Governor's School for Space Science and Technology.....	500,000
Pasco Regional STEM School.....	1,500,000
Pinellas Education Foundation - Career Path Planning.....	250,000
AVID Highlands County.....	520,203
Destination Graduation.....	500,000
Marie Selby Botanical Gardens.....	500,000
Jobs for Florida's Graduates.....	500,000
Sexual Risk Avoidance Education Program.....	200,000
Florida Children's Initiative.....	1,500,000
Glades Career Readiness/West Tech Construction Academy.....	426,628
SRI International Middle School Digital Mathematics.....	1,000,000
MBF Boat Safety/CPR Program.....	100,000
Visible Men Academy.....	50,000
Evans Wellness Cottage/Community School Health Center.....	685,000

110 Special Categories 104026
 Grants And Aids - Strategic Statewide
 Initiatives IOEB

1000 General Revenue Fund 18,415,000 17,730,000
 CA -685,000 FS11 -685,000

Following Specific Appropriation 110, DELETE:

Funds in Specific Appropriation 110 shall be allocated as follows:

Safe Schools Security Assessments.....	15,000
Personalized Accounts for Learning.....	18,400,000

AND INSERT:

Funds in Specific Appropriation 110 shall be allocated as follows:

Safe Schools Security Assessments.....	15,000
Personalized Accounts for Learning.....	17,715,000

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

Senator Bullard moved the following amendment which failed:

Amendment 28 (995084)—

	DELETE	INSERT
EDUCATION, DEPARTMENT OF		
Public Schools, Division Of		
Program: State Grants/K-12 Program - FEFP 48250300		
In Section 02 On Page 020		
96	Aid To Local Governments 050560	
	Grants And Aids - Florida Educational	
	Finance Program IOEB	

DELETE the proviso following Specific Appropriation 96:

From the funds in Specific Appropriations 9 and 96, \$644,680,873 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62 (1)(f), Florida Statutes. From these funds, at least \$75,000,000, together with funds provided in the district's research-based reading instruction allocation and other available funds, shall be used by districts with one or more of the 300 lowest performing elementary schools based on the statewide, standardized English Language Arts assessment to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the additional hour of instruction on an optional basis. ESE centers shall not be included in the 300 schools.

AND INSERT:

From the funds in Specific Appropriations 9 and 96, \$644,680,873 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62 (1)(f), Florida Statutes. From these funds, at least \$75,000,000, together with funds provided in the district's research-based reading instruction allocation and other available funds, shall be used by districts with one or more of the 300 lowest performing elementary schools based on the statewide, standardized English Language Arts assessment to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. These funds shall be distributed based on the percentage of schools each district has of the 300 lowest performing elementary schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the additional hour of instruction on an optional basis. ESE centers shall not be included in the 300 schools.

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

Senator Detert moved the following amendment which was adopted:

Amendment 29 (995080)—

		DELETE	INSERT
	EDUCATION, DEPARTMENT OF Program: Education - Fixed Capital Outlay	48150000	
27	In Section 02 On Page 008 Fixed Capital Outlay 089006 Florida College System Projects IOEL		
2555	Public Education Capital Outlay And Debt Service Trust Fund CA -2,000,000 FSI1NR -2,000,000	36,900,000	34,900,000

Following Specific Appropriation 27, DELETE:

Lake Sumter State College - Clermont Campus Science Lab.... 6,000,000

AND INSERT:

Lake Sumter State College - Clermont Campus Science Lab.... 4,000,000

AND INSERT A NEW SPECIFIC APPROPRIATION 32A:

	In Section 02 On Page 009 Fixed Capital Outlay 089856 Vocational-Technical Facilities IOEL		
32A			
2555	Public Education Capital Outlay And Debt Service Trust Fund CA 2,000,000 FSI1NR 2,000,000		2,000,000

Funds in Specific Appropriation 32A are for the Sarasota County Technical Institute - North Port Campus.

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

Senator Richter moved the following amendment which was adopted:

Amendment 30 (995078)—

		DELETE	INSERT
	LOTTERY, DEPARTMENT OF THE Program: Lottery Operations	36010000	
	In Section 06 On Page 327		

In Section 06, on Page 327, preceding Line item 2687, INSERT the following:

From the funds provided in Specific Appropriation 2687 through 2705, the Department of the Lottery shall conduct an internal report determining the feasibility of a point of sale lottery terminal pilot program including forecasting the net amount of ticket sale revenue generated by each terminal. The report shall include the amount of point of sale machine revenue that would replace the amount of counter ticket sale revenue. The report shall be provided to the chair of the Senate Appropriations Subcommittee on General Government, the chair of the House Government Operations Appropriations Subcommittee, and the Executive Office of the Governor, Office of Policy and Budget, by October 31, 2014.

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

Senator Legg moved the following amendment which was adopted:

Amendment 31 (995086)—

		DELETE	INSERT
	EDUCATION, DEPARTMENT OF Public Schools, Division Of Program: State Grants/K-12 Program - FEPP	48250300	

In Section 02 On Page 020
96 Aid To Local Governments 050560
Grants And Aids - Florida Educational
Finance Program IOEB

Following Specific Appropriation 96, DELETE:

From the funds in Specific Appropriations 9 and 96, \$40,000,000 is provided to school districts to support digital classrooms. Funds shall be calculated as follows: \$250,000 shall be the minimum for each district, and the remaining balance shall be allocated based on each district's share of the state's total unweighted student enrollment. Each district must submit a digital classrooms plan approved by the school board, by October 1, 2014 to the State Board of Education specifying how the funds will be used to implement the plan. Each submitted plan must include, but is not limited to, the following components: infrastructure needs including network and wireless components; delivery of digital instruction; professional development; accommodations for students with disabilities; assessments; digital tools; load testing; devices; and security. The plan must identify the district's anticipated return on investment for each component with a fiscal impact and include goals relating to increased student achievement and measurable outcomes based on the plan components. The plan must be submitted with superintendent certification and approved by the State Board of Education prior to disbursement of funds. Each school district shall certify to the Department of Education, by September 1, 2015 for the 2014-2015 fiscal year, its use of funds from the Florida Digital Classrooms allocation and corresponding student performance outcomes. The commissioner shall submit a summary of the district reports to the Governor, President of the Senate, and Speaker of the House of Representatives.

AND INSERT:

From the funds in Specific Appropriations 9 and 96, \$40,000,000 is provided to school districts to support digital classrooms. Funds shall be calculated as follows: \$250,000 shall be the minimum for each district, and the remaining balance shall be allocated based on each district's share of the state's total unweighted student enrollment. Funds for this Digital Classrooms allocation shall be contingent on Senate Bill 790 or similar legislation becoming law.

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

Senator Gardiner moved the following amendment which was adopted:

Amendment 32 (995085)—

		DELETE	INSERT
	ECONOMIC OPPORTUNITY, DEPARTMENT OF Program: Strategic Business Development Strategic Business Development	40400100	
2258	In Section 06 On Page 287 Special Categories 102003 Grants And Aids - Enterprise Florida Program IOEB		
	In Section 06 On Page 288		
2551	Professional Sports Development Trust Fund CA 0	3,500,000	3,500,000

At the end of existing proviso language following Specific Appropriation 2258, INSERT:

The 2014 Florida Senior Games State Championships shall be dedicated to Skip Martin in honor of his retirement. Mr. Martin shall serve as the Official Torch Bearer and shall open the 2014 Florida Senior Games State Championships by taking the first lap on the track on his BMW motorcycle.

On motion by Senator Negron, SB 2500 as amended was ordered engrossed.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

DISCLOSURE

FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 5001 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

By Appropriations Committee and Representative(s) McKeel—

HB 5001—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2014, and ending June 30, 2015, and supplemental appropriations for the period ending June 30, 2014, to pay salaries and other expenses, capital outlay—buildings and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—was referred to the Committee on Appropriations.

Pending further consideration of **SB 2500**, as amended, on motion by Senator Negrón, by two-thirds vote **HB 5001** was withdrawn from the Committee on Appropriations.

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

HB 5001—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2014, and ending June 30, 2015, and supplemental appropriations for the period ending June 30, 2014, to pay salaries and other expenses, capital outlay—buildings and other improvements, and for other specified purposes of the various agencies of state government; providing effective dates.

—a companion measure, was substituted for **SB 2500** as amended and by two-thirds vote read the second time by title.

On motion by Senator Negrón, the engrossed version of **SB 2500** was adopted as an amendment to **HB 5001** to make the bills identical.

Senator Negrón moved the following amendment which was adopted:

Amendment 1 (544510)—Delete everything after the enacting clause and insert:

Pursuant to Rule 7.6, **Amendment 1 (544510)** constituted an entirely new bill and was not published in the Journal.

On motion by Senator Negrón, by two-thirds vote **HB 5001** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—2

Bullard	Clemens
---------	---------

Vote after roll call:

Yea—Benacquisto

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5001**, **HB 5003**, **HB 5201**, and **HB 5203** which come before the Senate for a vote on April 3, 2014.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MOTION

On motion by Senator Negrón, the rules were waived and staff of the Committee on Appropriations was instructed to make title amendments and technical and conforming changes in **SB 2500** as necessary.

SB 2500—A bill to be entitled An act relating to implementing the General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2014-2015 fiscal year; providing that funds for instructional materials shall be released and expended as required in specified proviso language, notwithstanding other provisions of law; amending s. 1011.62, F.S.; increasing the number of schools eligible for categorical funding for supplemental academic instruction and for the research-based reading instruction allocation; suspending for the 2014-2015 fiscal year a provision authorizing the Legislature to provide a virtual education contribution to the Florida Education Finance Program; amending s. 1002.32, F.S.; requiring that eligible lab schools that have a permanent high school center receive a proportional share of the sparsity supplement; amending s. 1013.64, F.S.; revising the basis for allocating fixed-capital outlay funds for existing satisfactory facilities; incorporating by reference certain calculations of the Medicaid Low-Income Pool and Disproportionate Share Hospital programs for the 2014-2015 fiscal year; providing requirements governing the continuation of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; specifying certain prohibitions before completion of the study; prioritizing which categories of individuals on the Agency for Persons with Disabilities wait list will be offered a slot on the Medicaid home and community-based waiver programs; allowing an individual to continue receiving waiver services if his or her parent or guardian is an active-duty service member transferred to Florida; providing that individuals remaining on the wait list are not entitled to an administrative proceeding; prohibiting behavioral health managing entities contracting with the Department of Children and Families from conducting provider network procurements during the 2014-2015 fiscal year; amending s. 216.262, F.S.; authorizing the Department of Corrections to submit a budget amendment for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; requiring the Department of Juvenile Justice to comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; directing the Department of Management Services to use a tenant broker to renegotiate or reprocure leases for office or storage space and provide a report to the Legislature; reenacting s. 624.502, F.S., relating to a requirement that fees for service of process upon the Chief Financial Officer or Office of Insurance Regulation be deposited into the Administrative Trust Fund; amending s. 161.143, F.S.; providing an allocation in the General Appropriations Act for inlet management funding; amending s. 216.181, F.S.; authorizing the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects; amending s. 259.032, F.S.; authorizing the transfer of moneys in the Conservation and Recreation Lands Trust Fund to the Save Our Everglades Trust Fund to support certain Everglades restoration projects; amending s. 375.041, F.S.; providing for the transfer of moneys from the Land Ac-

quisition Trust Fund to support the Total Maximum Daily Loads Program; providing for the transfer of moneys in the Land Acquisition Trust Fund to the Save Our Everglades Trust Fund to support certain Everglades restoration projects; amending s. 373.59, F.S.; revising the allocation of moneys from the Water Management Lands Trust Fund; authorizing specified funds to be deposited into the Save Our Everglades Trust Fund to support certain Everglades restoration projects; amending s. 376.30711, F.S.; requiring that all task assignments, work orders, and contracts for providers under the Petroleum Restoration Program must meet certain requirements; amending s. 403.7095, F.S.; requiring the Department of Environmental Protection to award a specified amount in grants to certain counties for solid waste programs; authorizing the Fish and Wildlife Conservation Commission to pay a bounty for captured and destroyed lionfish; amending s. 339.135, F.S.; authorizing the Department of Transportation to use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and related facilities; amending s. 335.065, F.S.; authorizing the Department of Transportation to use certain funds to support the establishment of a statewide system of interconnected multiuse trails and related facilities; providing criteria for prioritizing trail projects; providing for the reversion of unobligated funds appropriated for certain transportation and economic development projects; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency; providing that the annual salary of the members of the Legislature be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing a legislative determination that the issuance of new debt is in the best interests of the state and necessary to address a critical state emergency; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing certain agencies to request the transfer of resources between Data Processing Services appropriation categories and appropriation categories for operation based upon changes to the data center services consolidation schedule; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers; prohibiting an agency from transferring funds from a data processing category to another category; reenacting and amending s. 110.12315(2)(b) and (7)(a), F.S., relating to the state employee prescription drug program; updating provisions specifying copayment amounts; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by this act; providing for severability; providing effective dates.

—was read the second time by title.

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 HB 5003 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

By Appropriations Committee and Representative(s) McKeel—

HB 5003—A bill to be entitled An act relating to implementing the 2014-2015 General Appropriations Act; providing legislative intent; amending s. 1002.32, F.S.; providing for the distribution of capital improvement funding for lab schools; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2014-2015 fiscal year; providing requirements governing the continuation of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; requiring the Agency for Health Care Administration to perform a reconciliation relating to nursing home facility providers; requiring providers to reimburse agency in certain circumstances; prior-

itizing which categories of individuals on the Agency for Persons with Disabilities' wait list will be offered slots in the Medicaid home and community-based waiver programs; providing that individuals remaining on the wait list are not entitled to an administrative proceeding or hearing in accordance with federal law; amending s. 216.262, F.S.; authorizing the Department of Corrections under certain circumstances to submit a budget amendment for additional positions to operate additional prison bed capacity; authorizing the Department of Legal Affairs to expend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund for moneys advanced from the general fund before a certain date; requiring the Department of Juvenile Justice to comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 29.008, F.S., relating to county funding of court-related functions; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage; directing the Department of Management Services to use a tenant broker to renegotiate or reprocure leases for office or storage space and provide a report to the Legislature; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or Office of Insurance Regulation; providing for deposit of such fees into the Administrative Trust Fund rather than the Insurance Regulatory Trust Fund; amending s. 282.709, F.S.; revising membership of Joint Task Force on State Agency Law Enforcement Communications; amending s. 161.143, F.S.; providing for an allocation in the General Appropriations Act for inlet management funding; amending s. 375.041, F.S.; authorizing the transfer of moneys from the Land Acquisition Trust Fund to support the Total Maximum Daily Loads Program; authorizing the transfer of moneys in the Land Acquisition Trust Fund to the Save Our Everglades Trust Fund for Everglades restoration and to the Florida Forever Trust Fund for the Florida Forever program; amending s. 373.59, F.S.; revising the allocation of moneys from the Water Management Lands Trust Fund; amending s. 403.7095, F.S.; requiring the Department of Environmental Protection to award a specified amount in grants to certain small counties for waste tire and litter prevention, recycling education, and solid waste programs; amending s. 259.105, F.S.; providing that certain funds in the Florida Forever Trust Fund be distributed to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands and to the Division of State Lands of the Department of Environmental Protection for certain less-than-fee acquisitions including for military buffering, springs, or water resource protection; amending s. 259.032, F.S.; authorizing moneys from the Conservation and Recreation Lands Trust Fund to be transferred to the Florida Forever Trust Fund for the Florida Forever program; amending s. 255.25001, F.S.; authorizing funds from the sale of certain property by the Department of Agriculture and Consumer Services to be deposited into the Market Improvements Working Capital Trust Fund; amending s. 216.181, F.S.; authorizing the Governor and the Legislative Budget Commission to approve certain fixed capital outlay projects proposed by the Department of Environmental Protection; amending s. 216.292, F.S.; removing a restriction on the type of review a legislative appropriations committee may make when reviewing certain notices of proposed transfers by state agencies; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and aligning amounts paid for human resource management services; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salary of the members of the Legislature be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; authorizing the transfer of unappropriated cash balances to the general revenue or budget stabilization funds from certain trust funds; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive

Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; reenacting and amending s. 110.12315(2)(b) and (7)(a), F.S., relating to the state employee prescription drug program; updating provisions specifying copayment amounts; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by this act; providing severability; providing effective date.

—was referred to the Committee on Appropriations.

Pending further consideration of **SB 2502**, on motion by Senator Negrón, by two-thirds vote **HB 5003** was withdrawn from the Committee on Appropriations.

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

HB 5003—A bill to be entitled An act relating to implementing the 2014-2015 General Appropriations Act; providing legislative intent; amending s. 1002.32, F.S.; providing for the distribution of capital improvement funding for lab schools; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2014-2015 fiscal year; providing requirements governing the continuation of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; requiring the Agency for Health Care Administration to perform a reconciliation relating to nursing home facility providers; requiring providers to reimburse agency in certain circumstances; prioritizing which categories of individuals on the Agency for Persons with Disabilities' wait list will be offered slots in the Medicaid home and community-based waiver programs; providing that individuals remaining on the wait list are not entitled to an administrative proceeding or hearing in accordance with federal law; amending s. 216.262, F.S.; authorizing the Department of Corrections under certain circumstances to submit a budget amendment for additional positions to operate additional prison bed capacity; authorizing the Department of Legal Affairs to expend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund for moneys advanced from the general fund before a certain date; requiring the Department of Juvenile Justice to comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 29.008, F.S., relating to county funding of court-related functions; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage; directing the Department of Management Services to use a tenant broker to renegotiate or reprocure leases for office or storage space and provide a report to the Legislature; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or Office of Insurance Regulation; providing for deposit of such fees into the Administrative Trust Fund rather than the Insurance Regulatory Trust Fund; amending s. 282.709, F.S.; revising membership of Joint Task Force on State Agency Law Enforcement Communications; amending s. 161.143, F.S.; providing for an allocation in the General Appropriations Act for inlet management funding; amending s. 375.041, F.S.; authorizing the transfer of moneys from the Land Acquisition Trust Fund to support the Total Maximum Daily Loads Program; authorizing the transfer of moneys in the Land Acquisition Trust Fund to the Save Our Everglades Trust Fund for Everglades restoration and to the Florida Forever Trust Fund for the Florida Forever program; amending s. 373.59, F.S.; revising the allocation of moneys from the Water Management Lands Trust Fund; amending s. 403.7095, F.S.; requiring the Department of Environmental Protection to award a specified amount in grants to certain small counties for waste tire and litter prevention, recycling education, and solid waste programs; amending s. 259.105, F.S.; providing that certain funds in the Florida Forever Trust Fund be distributed to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands and to the Division of State Lands of the Department of Environmental Protection for certain less-than-fee acquisitions including for military buffering, springs, or water resource protection; amending s. 259.032, F.S.; authorizing moneys from the Conservation and Recreation Lands Trust Fund to be transferred to the Florida For-

ever Trust Fund for the Florida Forever program; amending s. 255.25001, F.S.; authorizing funds from the sale of certain property by the Department of Agriculture and Consumer Services to be deposited into the Market Improvements Working Capital Trust Fund; amending s. 216.181, F.S.; authorizing the Governor and the Legislative Budget Commission to approve certain fixed capital outlay projects proposed by the Department of Environmental Protection; amending s. 216.292, F.S.; removing a restriction on the type of review a legislative appropriations committee may make when reviewing certain notices of proposed transfers by state agencies; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and aligning amounts paid for human resource management services; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salary of the members of the Legislature be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; authorizing the transfer of unappropriated cash balances to the general revenue or budget stabilization funds from certain trust funds; providing a legislative determination that the issuance of new debt is in the best interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; reenacting and amending s. 110.12315(2)(b) and (7)(a), F.S., relating to the state employee prescription drug program; updating provisions specifying copayment amounts; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by this act; providing severability; providing effective date.

—a companion measure, was substituted for **SB 2502** and by two-thirds vote read the second time by title.

Senator Negrón moved the following amendment which was adopted:

Amendment 1 (312088) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2014-2015 fiscal year.*

Section 2. *In order to implement Specific Appropriations 9, 10, 11, 96, and 97 of the 2014-2015 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2014-2015 fiscal year in the document entitled "Public School Funding-The Florida Education Finance Program," dated _____, 2014, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2015.*

Section 3. *In order to implement Specific Appropriations 9 and 96 of the 2014-2015 General Appropriations Act and notwithstanding the provisions of ss. 1006.28 through 1006.42, 1002.20, 1003.02, 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2014-2015 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language attached to Specific Appropriation 96. This section expires July 1, 2015.*

Section 4. *In order to implement Specific Appropriations 9 and 96 of the 2014-2015, General Appropriations Act, paragraph (f) of subsection (1), paragraphs (a) and (c) of subsection (9), and subsection (11) of section 1011.62, Florida Statutes, are amended to read:*

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the

substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(f) Supplemental academic instruction; categorical fund.—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the “Supplemental Academic Instruction Categorical Fund.”

2. Categorical funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds ~~are shall be~~ in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. For the ~~2012-2013, 2013-2014, and~~ 2014-2015 fiscal year years, each school district that has one or more of the 300 ~~100~~ lowest-performing elementary schools based on the state reading assessment shall use these funds, together with the funds provided in the district’s research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided only by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers ~~are shall not be~~ included in the 300 ~~100~~ schools. After this requirement has been met, supplemental instruction strategies may include, ~~but are not limited to:~~ modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, class size reduction, extended school year, intensive skills development in summer school, and other methods for improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. ~~Effective with the 1999-2000 fiscal year,~~ Funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

5. ~~Beginning in the 1999-2000 school year,~~ Dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. For the ~~2012-2013, 2013-2014, and~~ 2014-2015 fiscal year years, in each school district that has one or more of the 300 ~~100~~ lowest-performing elementary schools based on the state reading assessment, priority shall be given to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in each school. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Ex-

ceptional student education centers ~~are shall not be~~ included in the 300 ~~100~~ schools. The intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on student assessment data to meet students’ specific reading needs; explicit and systematic reading development in phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading. For the 2012-2013 and 2013-2014 fiscal years, a school district may not hire more reading coaches than were hired during the 2011-2012 fiscal year unless all students in kindergarten through grade 5 who demonstrate a reading deficiency, as determined by district and state assessments, including students scoring Level 1 or Level 2 on FCAT Reading, are provided an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year.

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs, which may include the following:

1. The provision of an additional hour per day of intensive reading instruction to students in the 300 ~~100~~ lowest-performing elementary schools by teachers and reading specialists who are effective in teaching reading.

2. Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency.

3. The provision of highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.

4. Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text.

5. The provision of summer reading camps for all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on FCAT Reading.

6. The provision of supplemental instructional materials that are grounded in scientifically based reading research.

7. The provision of intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the FCAT.

(11) VIRTUAL EDUCATION CONTRIBUTION.—*Except for the 2014-2015 fiscal year,* the Legislature may annually provide in the Florida Education Finance Program a virtual education contribution. The amount of the virtual education contribution shall be the difference between the amount per FTE established in the General Appropriations Act for virtual education and the amount per FTE for each district and the Florida Virtual School, which may be calculated by taking the sum of the base FEFP allocation, the discretionary local effort, the state-funded discretionary contribution, the discretionary millage compression supplement, the research-based reading instruction allocation, and the instructional materials allocation, and then dividing by the total unweighted FTE. This difference shall be multiplied by the virtual education unweighted FTE for programs and options identified in s. 1002.455(3) and the Florida Virtual School and its franchises to equal the virtual education contribution and shall be included as a separate allocation in the funding formula.

Section 5. *The amendments to s. 1011.62(1)(f), (9)(a) and (c), and (11), Florida Statutes, made by this act expire July 1, 2015, and the text of those subsections and paragraphs shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 6. In order to implement Specific Appropriations 9 and 96 of the 2014-2015 General Appropriations Act, paragraph (a) of subsection (9) of section 1002.32, Florida Statutes, is amended to read:

1002.32 Developmental research (laboratory) schools.—

(9) FUNDING.—Funding for a lab school, including a charter lab school, shall be provided as follows:

(a) Each lab school shall be allocated its proportional share of operating funds from the Florida Education Finance Program as provided in s. 1011.62 based on the county in which the lab school is located and the General Appropriations Act. The nonvoted ad valorem millage that would otherwise be required for lab schools shall be allocated from state funds. The required local effort funds calculated pursuant to s. 1011.62 shall be allocated from state funds to the schools as a part of the allocation of operating funds pursuant to s. 1011.62. Each eligible lab school in operation as of September 1, 2013 ~~2002~~, which has a permanent high school center must ~~shall~~ also receive a proportional share of the sparsity supplement as calculated pursuant to s. 1011.62. In addition, each lab school shall receive its proportional share of all categorical funds, with the exception of s. 1011.68, and new categorical funds enacted after July 1, 1994, for the purpose of elementary or secondary academic program enhancement. The sum of funds available as provided in this paragraph shall be included annually in the Florida Education Finance Program and appropriate categorical programs funded in the General Appropriations Act.

Section 7. *The amendments to s. 1002.32(9)(a), Florida Statutes, made by this act expire July 1, 2015, and the text of that paragraph shall revert to that in existence on June 30, 2014, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 8. In order to implement Specific Appropriation 25 of the 2014-2015 General Appropriations Act, paragraph (a) of subsection (1) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(1)(a)1. Funds for remodeling, renovation, maintenance, repairs, and site improvement for existing satisfactory facilities shall be given priority consideration by the Legislature for appropriations allocated to the boards from the total amount of the Public Education Capital Outlay and Debt Service Trust Fund appropriated. These funds shall be calculated pursuant to the following basic formula: the building value times the building age over the sum of the years' digits assuming a 50-year building life. For modular noncombustible facilities, a 35-year life shall be used, and for relocatable facilities, a 20-year life shall be used. "Building value" is calculated by multiplying each building's total assignable square feet times the appropriate net-to-gross conversion rate found in state board rules and that product times the current average new construction cost. "Building age" is calculated by multiplying the prior year's building age times 1 minus the prior year's sum received from this subsection divided by the prior year's building value. To the net result shall be added the number 1. Each board shall receive the percentage generated by the preceding formula of the total amount appropriated for the purposes of this section.

2. *Notwithstanding subparagraph 1., and for the 2014-2015 fiscal year only, funds appropriated for remodeling, renovation, maintenance, repairs, and site improvement for existing satisfactory facilities shall be allocated by prorating the total appropriation based on each school district's share of the 2013-2014 reported fixed capital outlay FTE. This subparagraph expires July 1, 2015.*

Section 9. *In order to implement Specific Appropriations 203, 210, 211, 212, and 215 of the 2014-2015 General Appropriations Act, the calculations for the Medicaid Low-Income Pool and Disproportionate Share Hospital programs, and the parameters and calculations for the diagnosis-related group (DRG) methodology for hospital reimbursement, for the 2014-2015 fiscal year contained in the document entitled "Medicaid Hospital Funding Programs," dated _____, 2014, and filed*

with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool and Disproportionate Share Hospital programs, and the parameters and calculations for the DRG methodology for hospital reimbursement. This section expires July 1, 2015.

Section 10. (1) *In order to implement Specific Appropriation 490 of the 2014-2015 General Appropriations Act, the following requirements govern the continuation of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study:*

(a) *The Department of Health's underlying contract for the study remains in full force and effect and funding for continuation of the study is provided through the department.*

(b) *The Department of Health, the Department of Health's Research Review and Advisory Committee, and the Department of Environmental Protection shall work together to provide the necessary technical oversight of the continuation of the study.*

(c) *Management and oversight of the continuation of the study must be consistent with the terms of the existing contract. However, the main focus and priority to be completed is testing and recommending cost-effective passive technology design criteria for nitrogen reduction. Notwithstanding any other law, before the study is completed, a state agency may not adopt or implement a rule or policy that:*

1. *Mandates, establishes, or implements more restrictive nitrogen reduction standards to existing or new onsite sewage treatment systems or modification of such systems; or*

2. *Directly or indirectly, such as through an administrative order developed by the Department of Environmental Protection as part of a basin management action plan adopted pursuant to s. 403.067, Florida Statutes, requires the use of performance-based treatment systems or similar technology. However, more restrictive nitrogen reduction standards for onsite systems may be required through a basin management action plan if such plan is phased in after completion of the study.*

(2) *This section expires July 1, 2015.*

Section 11. (1) *In order to implement Specific Appropriation 268 of the 2014-2015 General Appropriations Act, and notwithstanding s. 393.065(5), Florida Statutes, individuals from the Medicaid home and community-based waiver programs wait list shall be offered a slot on the waiver as follows:*

(a) *Individuals in category 1, which includes clients deemed to be in crisis as described in rule, shall be given top priority in moving from the wait list to the waiver.*

(b) *Individuals in category 2, at the time of finalization of an adoption with placement in the family home, reunification with family members with placement in a family home, or permanent placement with a relative in a family home, shall be moved to the waiver.*

(c) *In selecting individuals in category 3 or category 4, the Agency for Persons with Disabilities shall use the Agency for Persons with Disabilities Wait List Prioritization Tool, dated March 15, 2013. Those individuals whose needs score highest on the Wait List Prioritization Tool shall be moved to the waiver during the 2014-2015 fiscal year, to the extent funds are available.*

(2) *The agency shall allow an individual who meets the eligibility requirements provided under s. 393.065(1), Florida Statutes, to receive home and community-based services in this state if the individual's parent or legal guardian is an active-duty military service member and, at the time of the service member's transfer to Florida, the individual was receiving home and community-based services in another state.*

(3) *Upon the placement of individuals on the waiver pursuant to subsection (1), individuals remaining on the wait list are deemed not to have been substantially affected by agency action and are, therefore, not entitled to a hearing under s. 393.125, Florida Statutes, or administrative proceeding under chapter 120, Florida Statutes. This section expires July 1, 2015.*

Section 12. *In order to implement Specific Appropriations 350 through 366D and 371 through 374 of the 2014-2015 General Appropriations Act, and notwithstanding any other law, in order to provide consistency and continuity in the provision of mental health and substance abuse treatment services to individuals throughout the state, behavioral health managing entities contracting with the Department of Children and Families pursuant to s. 394.9082, Florida Statutes, may not conduct provider network procurements during the 2014-2015 fiscal year. The department shall amend its contracts with each managing entity if necessary to remove contractual provisions that have the effect of requiring a managing entity to conduct a provider network procurement during the 2014-2015 fiscal year. This section expires July 1, 2015.*

Section 13. In order to implement Specific Appropriations 625 through 734 and 747 through 786 of the 2014-2015 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2014-2015 ~~2013-2014~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the *February 27, 2014 February 19, 2013*, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2015 ~~2014~~.

Section 14. *In order to implement Specific Appropriations 1322 and 1323 of the 2014-2015 General Appropriations Act, the Department of Legal Affairs may expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in previous years. This section expires July 1, 2015.*

Section 15. (1) *In order to implement Specific Appropriations 1130, 1135, 1136, 1142, 1143, 1147, 1148, 1184, 1186, 1192, 1193, 1194, 1205, and 1210 of the 2014-2015 General Appropriations Act, the Department of Juvenile Justice must comply with the following reimbursement limitations:*

(a) *Payments to a hospital or a health care provider may not exceed 110 percent of the Medicare allowable rate for any health care services provided if there is no contract between the department and the hospital or the health care provider providing services at a hospital;*

(b) *The department may continue to make payments for health care services at the currently contracted rates through the current term of the contract if a contract has been executed between the department and a hospital or a health care provider providing services at a hospital; however, payments may not exceed 110 percent of the Medicare allowable rate after the current term of the contract expires or after the contract is renewed during the 2014-2015 fiscal year;*

(c) *Payments may not exceed 110 percent of the Medicare allowable rate under a contract executed on or after July 1, 2014, between the department and a hospital or a health care provider providing services at a hospital; and*

(d) *Notwithstanding paragraphs (a)-(c), the department may pay up to 125 percent of the Medicare allowable rate for health care services at a hospital that reports or has reported a negative operating margin for the previous fiscal year to the Agency for Health Care Administration through hospital-audited financial data.*

(2) *As used in this section, the term “hospital” means a hospital licensed under chapter 395, Florida Statutes.*

(3) *This section expires July 1, 2015.*

Section 16. *In order to implement appropriations used for the payment of existing lease contracts for private lease space in excess of 2,000 square feet in the 2014-2015 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or reprocur all private lease agreements for office or storage space expiring between July 1, 2015, and June 30, 2017, in order to reduce costs in future years. The department shall incorporate this initiative into its 2014 Master Leasing Report and may use tenant broker services to explore the possibilities of colcoating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2014, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2015.*

Section 17. In order to implement Specific Appropriations 2277 through 2285 of the 2014-2015 General Appropriations Act, section 624.502, Florida Statutes, is reenacted to read:

624.502 Service of process fee.—In all instances as provided in any section of the insurance code and s. 48.151(3) in which service of process is authorized to be made upon the Chief Financial Officer or the director of the office, the plaintiff shall pay to the department or office a fee of \$15 for such service of process, which fee shall be deposited into the Administrative Trust Fund.

Section 18. *The amendment to s. 624.502, Florida Statutes, as carried forward by this act from chapter 2013-41, Laws of Florida, expires July 1, 2015, and the text of that section shall revert to that in existence on June 30, 2013, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 19. In order to implement Specific Appropriation 1653 of the 2014-2015 General Appropriations Act, paragraph (e) of subsection (5) of section 161.143, Florida Statutes, is amended to read:

161.143 Inlet management; planning, prioritizing, funding, approving, and implementing projects.—

(5) The department shall annually provide an inlet management project list, in priority order, to the Legislature as part of the department's budget request. The list must include studies, projects, or other activities that address the management of at least 10 separate inlets and that are ranked according to the criteria established under subsection (2).

(e) Notwithstanding paragraphs (a) and (b), and for the 2014-2015 ~~2013-2014~~ fiscal year only, the amount allocated for inlet management funding is provided in the General Appropriations Act. This paragraph expires July 1, 2015 ~~2014~~.

Section 20. In order to implement Specific Appropriations 1727A, 1727B, 1777A, and 1843A of the 2014-2015 General Appropriations Act, paragraph (d) is added to subsection (11) of section 216.181, Florida Statutes, to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(d) *Notwithstanding paragraphs (b) and (2)(b), and for the 2014-2015 fiscal year only, the Legislative Budget Commission may authorize increases of the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities,*

and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resources damage assessment early restoration projects. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2015.

The provisions of this subsection are subject to the notice and objection procedures set forth in s. 216.177.

Section 21. In order to implement Specific Appropriation 1627A and section 38 of the 2014-2015 General Appropriations Act, paragraph (f) is added to subsection (11) of section 259.032, Florida Statutes, to read:

259.032 Conservation and Recreation Lands Trust Fund; purpose.—

(11)

(f) For the 2014-2015 fiscal year only, moneys in the Conservation and Recreation Lands Trust Fund may be transferred pursuant to s. 216.181(12) to the Save Our Everglades Trust Fund to support Everglades restoration projects included in the final report of the Select Committee on Indian River Lagoon and Lake Okeechobee Basin, dated November 8, 2013. This paragraph expires July 1, 2015.

Section 22. In order to implement Specific Appropriations 1627A and 1646 and section 38 of the 2013-2014 General Appropriations Act, paragraphs (b) and (c) of subsection (3) of section 375.041, Florida Statutes, are amended to read:

375.041 Land Acquisition Trust Fund.—

(3)

(b) In addition to the uses allowed under paragraph (a), for the 2014-2015 ~~2013-2014~~ fiscal year, moneys in the Land Acquisition Trust Fund may be transferred to support the Total Maximum Daily Loads Program as provided in the General Appropriations Act. This paragraph expires July 1, 2015 ~~2014~~.

(c) For the 2014-2015 ~~2013-2014~~ fiscal year only, moneys in the Land Acquisition Trust Fund may be transferred to the Save Our Everglades Trust Fund ~~for Everglades restoration~~ pursuant to s. 216.181(12) to support Everglades restoration projects included in the final report of the Select Committee on Indian River Lagoon and Lake Okeechobee Basin, dated November 8, 2013. This paragraph expires July 1, 2015 ~~2014~~.

Section 23. In order to implement Specific Appropriations 1625 and 1627A and section 38 of the 2014-2015 General Appropriations Act, subsection (12) of section 373.59, Florida Statutes, is amended to read:

373.59 Water Management Lands Trust Fund.—

(12) Notwithstanding subsection (8), and for the 2014-2015 ~~2013-2014~~ fiscal year only, the moneys from the Water Management Lands Trust Fund are allocated as follows:

(a) An amount necessary to pay debt service on bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District, which are secured by revenues provided pursuant to this section, or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to such bonds.

(b) Eight million dollars to be transferred to the General Revenue Fund.

(c) Three million dollars may be transferred pursuant to s. 216.181(12) to the Save Our Everglades Trust Fund to support Everglades restoration projects included in the final report of the Select Committee on Indian River Lagoon and Lake Okeechobee Basin, dated November 8, 2013.

(d) Any remaining funds to be provided in accordance with the General Appropriations Act.

~~(c) Three million dollars to be distributed to the Suwannee River Water Management District for springs restoration and protection projects.~~

~~(d) Three million dollars to be distributed to the Northwest Florida Water Management District for Apalachicola Bay water quality improvement projects.~~

~~(e) Four million dollars to be distributed to the South Florida Water Management District for J.W. Corbett Levee system improvements.~~

~~(f) One million dollars to be distributed to the Southwest Florida Water Management District for Duck Slough/Thousand Oaks flood mitigation.~~

~~(g) The remaining appropriation to be distributed to the Suwannee River Water Management District.~~

This subsection expires July 1, 2015 ~~2014~~.

Section 24. In order to implement Specific Appropriation 1627 of the 2014-2015 General Appropriations Act, the recurring \$12 million appropriated from the General Revenue Fund and the recurring \$20 million appropriated from the Water Management Lands Trust Fund to the Department of Environmental Protection for the Restoration Strategies Regional Water Quality Plan provided in chapter 2013-59, Laws of Florida, shall be deposited into the Save Our Everglades Trust Fund within the department to support Everglades restoration projects included in the final report of the Select Committee on Indian River Lagoon and Lake Okeechobee Basin, dated November 8, 2013. This section expires July 1, 2015.

Section 25. In order to implement Specific Appropriation 1697A of the 2014-2015 General Appropriations Act, paragraphs (d) and (e) of subsection (2) of section 376.30711, Florida Statutes, are amended to read:

376.30711 Preapproved site rehabilitation, effective March 29, 1995.—

(2)

(d) All task assignments, work orders, and contracts for providers under the Petroleum Restoration Program entered into by the department on or after July 1, 2013, pursuant to this section and ss. 376.3071 and 376.30713 must:

1. Be procured through competitive bidding pursuant to s. 287.056, s. 287.057, or s. 287.0595.

2. Require that a statement under oath be executed and provided to the department concurrently with the execution of the task assignments, work orders, or contracts by:

a. All owners, responsible parties, and cleanup contractors and subcontractors, that no compensation, remuneration, or gift of any kind, directly or indirectly, has been solicited, offered, accepted, paid, or received in exchange for designation or employment in connection with the cleanup of an eligible site, except for the compensation paid by the department to the contractor for the cleanup.

b. All cleanup contractors and subcontractors receiving compensation for cleanup of eligible sites, that they have never paid, offered, or provided any compensation in exchange for being designated or hired to do cleanup work, except for compensation for the cleanup work.

This paragraph expires June 30, 2015 ~~2014~~.

(e) Any owner, responsible party, or cleanup contractor or subcontractor who falsely executes a statement required pursuant to subparagraph (d)2. is prohibited from participating in the Petroleum Restoration Program. This paragraph expires June 30, 2015 ~~2014~~.

Section 26. In order to implement Specific Appropriation 1700 of the 2014-2015 General Appropriations Act, subsection (5) of section 403.7095, Florida Statutes, is amended to read:

403.7095 Solid waste management grant program.—

(5) Notwithstanding any other provision of this section, and for the 2014-2015 ~~2013-2014~~ fiscal year only, the Department of Environmental Protection shall award the sum of \$3 million in grants equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, 2015 ~~2014~~.

Section 27. In order to implement Specific Appropriation 1839A of the 2014-2015 General Appropriations Act, the Fish and Wildlife Conservation Commission may pay a bounty for each lionfish captured and destroyed from state or adjacent federal waters during participating lionfish derbies. This section expires July 1, 2015.

Section 28. In order to implement Specific Appropriation 1913 of the 2014-2015 General Appropriations Act, paragraph (i) is added to subsection (4) of section 339.135, Florida Statutes, and subsection (5) of that section is amended, to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

(i) Notwithstanding paragraph (a), and for the 2014-2015 fiscal year only, the Department of Transportation may use appropriated funds to support the establishment of a statewide system of interconnected multi-use trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2014, in the Department of Transportation 5-year work program. This paragraph expires July 1, 2015.

(5) ADOPTION OF THE WORK PROGRAM.—

(a) The original approved budget for operational and fixed capital expenditures for the department shall be the Governor's budget recommendation and the first year of the tentative work program, as ~~both~~ ~~are~~ amended by the General Appropriations Act and any other act containing appropriations. In accordance with the appropriations act, the department shall, before the beginning of the fiscal year, adopt a final work program that includes ~~which shall~~ only include the original approved budget for the department for the ensuing fiscal year, together with any roll forwards approved pursuant to paragraph (6)(c), and the portion of the tentative work program for the following 4 fiscal years revised in accordance with the original approved budget for the department for the ensuing fiscal year together with the roll forwards. The adopted work program may include only those projects submitted as part of the tentative work program developed under ~~the provisions of~~ subsection (4), plus any projects that ~~which~~ are separately identified by specific appropriation in the General Appropriations Act and any roll forwards approved pursuant to paragraph (6)(c). However, any transportation project of the department which is identified by specific appropriation in the General Appropriations Act shall be deducted from the funds annually distributed to the respective district pursuant to paragraph (4)(a). In addition, the department ~~may shall~~ not in any year include any project or allocate funds to a program in the adopted work program that is contrary to existing law for that particular year. Projects ~~may shall~~ not be undertaken unless they are listed in the adopted work program.

(b) Notwithstanding paragraph (a), and for the 2014-2015 fiscal year only, the Department of Transportation may use appropriated funds to support the establishment of a statewide system of interconnected multi-use trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2014, in the Department of Transportation 5-year work program. This paragraph expires July 1, 2015.

Section 29. In order to implement Specific Appropriation 1913 of the 2014-2015 General Appropriations Act, 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 costs 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 priorities within the Florida Greenways and Trails System pursuant to 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 in existing trails.

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

(a) Be included in the department's work program developed pursuant to 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.

This subsection expires July 1, 2015.

Section 30. In order to implement Specific Appropriation 1913 of the 2014-2015 General Appropriations Act, and notwithstanding s. 339.135(6)(c), Florida Statutes, the unobligated funds appropriated for transportation and economic development projects in Specific Appropriation 1891, Chapter 2013-40, Laws of Florida, shall revert immediately. For the purposes of this section, the term "unobligated funds" does not include funding for projects for which grant agreements have been executed for specific transportation economic development projects.

Section 31. In order to implement the appropriation of funds in the contracted services and expense categories of the 2014-2015 General Appropriations Act, no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would:

(1) Require a change in law; or

(2) Require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), Florida Statutes, unless the initiation of such competitive solicitation is specifically authorized in law, in the General Appropriations Act, or by the Legislative Budget Commission.

This section does not apply to a competitive solicitation for which the agency head certifies that a valid emergency exists. This section expires July 1, 2015.

Section 32. In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2014-2015 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2015.

Section 33. In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased per Statewide Contract" in the 2014-2015 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2015.

Section 34. In order to implement appropriations for salaries and benefits in the 2014-2015 General Appropriations Act, subsection (6) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(6) For the 2014-2015 ~~2013-2014~~ fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2015 ~~2014~~.

Section 35. *In order to implement Specific Appropriations 2674 and 2675 of the 2014-2015 General Appropriations Act and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2014-2015 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2015.*

Section 36. In order to implement the transfer of funds to the General Revenue Fund from trust funds in the 2014-2015 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys is responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:

a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.

b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.

c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.

d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.

e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.

f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.

g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the Division of Licensing Trust Fund in the Department of Agriculture and Consumer Services; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 37. *The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2015, and the text of that paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 38. *In order to implement the issuance of new debt authorized in the 2014-2015 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2014-2015 fiscal year should be implemented, is in the best interest of the state, and is necessary to address a critical state emergency. This section expires July 1, 2015.*

Section 39. *In order to implement appropriations in the 2014-2015 General Appropriations Act for state employee travel, the funds appropriated to each state agency, which may be used for travel by state employees, shall be limited during the 2014-2015 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used for travel by state employees to foreign countries, other states, conferences, staff-training activities, or other administrative functions unless the agency head has approved, in writing, that such activities are critical to the agency's mission. The agency head shall consider using*

teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2015.

Section 40. In order to implement appropriations authorized in the 2014-2015 General Appropriations Act for data center services scheduled for consolidation in the 2014-2015 fiscal year, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the consolidating agencies may request the transfer of resources between Data Processing Services appropriation categories and the appropriation categories for operations based upon changes to the consolidation schedule. This section expires July 1, 2015.

Section 41. In order to implement appropriations authorized in the 2014-2015 General Appropriations Act for each of the state's designated primary data centers funded from the data processing appropriation category for computing services of user agencies, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated for data processing in the 2014-2015 General Appropriations Act between agencies in order to align the budget authority granted with the utilization rate of each department. This section expires July 1, 2015.

Section 42. In order to implement appropriations authorized in the 2014-2015 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, except as authorized in sections 40 and 41 of this act, no agency may transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2015.

Section 43. In order to implement section 8 of the 2014-2015 General Appropriations Act, paragraph (b) of subsection (2) of section 110.12315, Florida Statutes, is reenacted, and paragraph (a) of subsection (7) of that section is reenacted and amended, to read:

110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(2) In providing for reimbursement of pharmacies for prescription medicines dispensed to members of the state group health insurance plan and their dependents under the state employees' prescription drug program:

(b) There shall be a 30-day supply limit for prescription card purchases and 90-day supply limit for mail order or mail order prescription drug purchases. The Department of Management Services may implement a 90-day supply limit program for certain maintenance drugs as determined by the department at retail pharmacies participating in the program if the department determines it to be in the best financial interest of the state.

(7) Under the state employees' prescription drug program copayments must be made as follows:

(a) Effective January 1, 2014 ~~2013~~, for the State Group Health Insurance Standard Plan:

1. For generic drug with card \$7.
2. For preferred brand name drug with card \$30.
3. For nonpreferred brand name drug with card \$50.
4. For generic mail order drug \$14.
5. For preferred brand name mail order drug \$60.
6. For nonpreferred brand name mail order drug \$100.

Section 44. (1) The amendment to s. 110.12315(2)(b), Florida Statutes, as carried forward by this act from chapter 2013-41, Laws of Florida, expires July 1, 2015, and the text of that paragraph shall revert to that in existence on June 30, 2012, except that any amendments to such

text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

(2) The amendment to s. 110.12315(7)(a), Florida Statutes, as carried forward by this act from chapter 2013-41, Laws of Florida, expires July 1, 2015, and the text of that paragraph shall revert to that in existence on December 31, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 45. Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2014-2015 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2014-2015 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

Section 46. If any other act passed during the 2014 Regular Session contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.

Section 47. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 48. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2014; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and operate retroactively to 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 implementing the General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2014-2015 fiscal year; providing that funds for instructional materials shall be released and expended as required in specified proviso language, notwithstanding other provisions of law; amending s. 1011.62, F.S.; increasing the number of schools eligible for categorical funding for supplemental academic instruction and for the research-based reading instruction allocation; suspending for the 2014-2015 fiscal year a provision authorizing the Legislature to provide a virtual education contribution to the Florida Education Finance Program; amending s. 1002.32, F.S.; requiring that eligible lab schools that have a permanent high school center receive a proportional share of the sparsity supplement; amending s. 1013.64, F.S.; revising the basis for allocating fixed-capital outlay funds for existing satisfactory facilities; incorporating by reference certain calculations of the Medicaid Low-Income Pool and Disproportionate Share Hospital programs for the 2014-2015 fiscal year; providing requirements governing the continuation of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; specifying certain prohibitions before completion of the study; prioritizing which categories of individuals on the Agency for Persons with Disabilities wait list will be offered a slot on the Medicaid home and community-based waiver programs; allowing an individual to continue receiving waiver services if his or her parent or guardian is an active-duty service member transferred to Florida; providing that individuals remaining on the wait list are not entitled to an administrative proceeding; prohibiting behavioral health managing entities contracting with the Department of Children and Families from conducting provider network procurements during the 2014-2015 fiscal year; amending s. 216.262, F.S.; authorizing the Department of Corrections to submit a budget amendment for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that

were funded by the department from specific appropriations in general appropriations acts in previous years; requiring the Department of Juvenile Justice to comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term “hospital” for purposes of such limitations; directing the Department of Management Services to use a tenant broker to renegotiate or reprocure leases for office or storage space and provide a report to the Legislature; reenacting s. 624.502, F.S., relating to a requirement that fees for service of process upon the Chief Financial Officer or Office of Insurance Regulation be deposited into the Administrative Trust Fund; amending s. 161.143, F.S.; providing an allocation in the General Appropriations Act for inlet management funding; amending s. 216.181, F.S.; authorizing the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects; amending s. 259.032, F.S.; authorizing the transfer of moneys in the Conservation and Recreation Lands Trust Fund to the Save Our Everglades Trust Fund to support certain Everglades restoration projects; amending s. 375.041, F.S.; providing for the transfer of moneys from the Land Acquisition Trust Fund to support the Total Maximum Daily Loads Program; providing for the transfer of moneys in the Land Acquisition Trust Fund to the Save Our Everglades Trust Fund to support certain Everglades restoration projects; amending s. 373.59, F.S.; revising the allocation of moneys from the Water Management Lands Trust Fund; authorizing specified funds to be deposited into the Save Our Everglades Trust Fund to support certain Everglades restoration projects; amending s. 376.30711, F.S.; requiring that all task assignments, work orders, and contracts for providers under the Petroleum Restoration Program must meet certain requirements; amending s. 403.7095, F.S.; requiring the Department of Environmental Protection to award a specified amount in grants to certain counties for solid waste programs; authorizing the Fish and Wildlife Conservation Commission to pay a bounty for captured and destroyed lionfish; amending s. 339.135, F.S.; authorizing the Department of Transportation to use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and related facilities; amending s. 335.065, F.S.; authorizing the Department of Transportation to use certain funds to support the establishment of a statewide system of interconnected multiuse trails and related facilities; providing criteria for prioritizing trail projects; providing for the reversion of unobligated funds appropriated for certain transportation and economic development projects; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency; providing that the annual salary of the members of the Legislature be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing a legislative determination that the issuance of new debt is in the best interests of the state and necessary to address a critical state emergency; limiting the use of travel funds to activities that are critical to an agency’s mission; providing exceptions; authorizing certain agencies to request the transfer of resources between Data Processing Services appropriation categories and appropriation categories for operation based upon changes to the data center services consolidation schedule; authorizing the Executive Office of the Governor to transfer funds for use by the state’s designated primary data centers; prohibiting an agency from transferring funds from a data processing category to another category; reenacting and amending s. 110.12315(2)(b) and (7)(a), F.S., relating to the state employee prescription drug program; updating provisions specifying copayment amounts; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by this act; providing for severability; providing effective dates.

On motion by Senator Negrón, by two-thirds vote **HB 5003** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5001**, **HB 5003**, **HB 5201**, and **HB 5203** which come before the Senate for a vote on April 3, 2014.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MOTION

On motion by Senator Negrón, the Senate having refused to pass **HB 5001** and **HB 5003** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Thrasher, by two-thirds vote **HB 5001** and **HB 5003** were ordered immediately certified to the House.

SB 2504—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was read the second time by title.

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 **HB 5007** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. “Bob” Ward, Clerk

By Appropriations Committee and Representative(s) McKee—

HB 5007—A bill to be entitled An act relating to collective bargaining; providing for the resolution of collective bargaining issues at impasse between the State of Florida and certified bargaining units for state employees pursuant to specified instructions; providing an effective date.

—was referred to the Committee on Appropriations.

Pending further consideration of **SB 2504**, on motion by Senator Negron, by two-thirds vote **HB 5007** was withdrawn from the Committee on Appropriations.

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

HB 5007—A bill to be entitled An act relating to collective bargaining; providing for the resolution of collective bargaining issues at impasse between the State of Florida and certified bargaining units for state employees pursuant to specified instructions; providing an effective date.

—a companion measure, was substituted for **SB 2504** and by two-thirds vote read the second time by title.

Senator Negron moved the following amendment which was adopted:

Amendment 1 (339034) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *All collective bargaining issues for which negotiations have reached an impasse for the 2014-2015 fiscal year between the state and the legal representatives of the certified bargaining units for state employees shall be resolved pursuant to the instructions provided in the General Appropriations Act and the relevant provisions of any legislation enacted to implement the General Appropriations Act for the 2014-2015 fiscal year.*

Section 2. 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 state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

On motion by Senator Negron, by two-thirds vote **HB 5007** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Clemens

Vote after roll call:

Yea—Abruzzo, Montford, Soto

SB 2506—A bill to be entitled An act relating to state-administered retirement systems; amending s. 112.363, F.S.; increasing the employer contribution to the retiree health insurance subsidy for members of a state-administered plan; amending s. 121.052, F.S.; increasing the employer contribution to the health insurance subsidy for members of the Elected Officers' Class; amending s. 121.055, F.S.; increasing the employer contribution to the health insurance subsidy for members of the Senior Management Service Class; amending s. 121.071, F.S.; increasing the employer contribution to the health insurance subsidy for members of the Regular, Special Risk, and Special Risk Administrative Support Classes; amending s. 121.71, F.S.; revising the amount of employer contributions for the next fiscal year; amending s. 121.74, F.S.; revising

terminology to refer to an employer assessment to offset the costs of administering the investment plan and providing education services; providing findings of important state interests; providing an effective date.

—was read the second time by title.

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 HB 5005 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

By Appropriations Committee and Representative(s) McKeel—

HB 5005—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 112.363, 121.052, 121.055, and 121.071, F.S.; revising the employer contribution rates for the retiree health insurance subsidy; amending s. 121.71, F.S.; revising the required employer contribution rates for certain membership classes and subclasses of the Florida Retirement System; providing that the act fulfills an important state interest; providing an effective date.

—was referred to the Committee on Appropriations.

Pending further consideration of **SB 2506**, on motion by Senator Negron, by two-thirds vote **HB 5005** was withdrawn from the Committee on Appropriations.

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

HB 5005—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 112.363, 121.052, 121.055, and 121.071, F.S.; revising the employer contribution rates for the retiree health insurance subsidy; amending s. 121.71, F.S.; revising the required employer contribution rates for certain membership classes and subclasses of the Florida Retirement System; providing that the act fulfills an important state interest; providing an effective date.

—a companion measure, was substituted for **SB 2506** and by two-thirds vote read the second time by title.

Senator Negron moved the following amendment which was adopted:

Amendment 1 (718236) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (h) is added to subsection (8) of section 112.363, Florida Statutes, to read:

112.363 Retiree health insurance subsidy.—

(8) CONTRIBUTIONS.—For purposes of funding the insurance subsidy provided by this section:

(h) *Beginning July 1, 2014, the employer of each member of a state-administered plan shall contribute 1.30 percent of gross compensation each pay period.*

Such contributions shall be submitted to the Department of Management Services and deposited in the Retiree Health Insurance Subsidy Trust Fund.

Section 2. Paragraph (d) of subsection (7) of section 121.052, Florida Statutes, is amended to read:

121.052 Membership class of elected officers.—

(7) CONTRIBUTIONS.—

(d) The following table states the required employer contribution on behalf of each member of the Elected Officers' Class in terms of a percentage of the member's gross compensation. Such contribution con-

stitutes the entire health insurance subsidy contribution with respect to each such member. A change in the contribution rate is effective with the first salary paid on or after the beginning date of the change. The retiree health insurance subsidy contribution rate is as follows:

Dates of Contribution Rate Changes	Contribution Rate
October 1, 1987, through December 31, 1988	0.24%
January 1, 1989, through December 31, 1993	0.48%
January 1, 1994, through December 31, 1994	0.56%
January 1, 1995, through June 30, 1998	0.66%
July 1, 1998, through June 30, 2001	0.94%
July 1, 2001, through June 30, 2013	1.11%
Effective July 1, 2013, through June 30, 2014	1.20%
<i>Effective July 1, 2014</i>	1.30%

Such contributions and accompanying payroll data are due and payable no later than the 5th working day of the month immediately following the month during which the payroll period ended and shall be deposited by the administrator in the Retiree Health Insurance Subsidy Trust Fund.

Section 3. Paragraph (d) of subsection (3) of section 121.055, Florida Statutes, is amended to read:

121.055 Senior Management Service Class.—There is hereby established a separate class of membership within the Florida Retirement System to be known as the “Senior Management Service Class,” which shall become effective February 1, 1987.

(3)

(d) The following table states the required employer contribution on behalf of each member of the Senior Management Service Class in terms of a percentage of the member’s gross compensation. Such contribution constitutes the entire health insurance subsidy contribution with respect to each such member. A change in the contribution rate is effective with the first salary paid on or after the beginning date of the change. The retiree health insurance subsidy contribution rate is as follows:

Dates of Contribution Rate Changes	Contribution Rate
October 1, 1987, through December 31, 1988	0.24%
January 1, 1989, through December 31, 1993	0.48%
January 1, 1994, through December 31, 1994	0.56%
January 1, 1995, through June 30, 1998	0.66%
July 1, 1998, through June 30, 2001	0.94%
July 1, 2001, through June 30, 2013	1.11%
Effective July 1, 2013, through June 30, 2014	1.20%
<i>Effective July 1, 2014</i>	1.30%

Such contributions and accompanying payroll data are due and payable no later than the 5th working day of the month immediately following the month during which the payroll period ended and shall be deposited by the administrator in the Retiree Health Insurance Subsidy Trust Fund.

Section 4. Subsection (4) of section 121.071, Florida Statutes, is amended to read:

121.071 Contributions.—Contributions to the system shall be made as follows:

(4) The following table states the required employer contribution on behalf of each member of the Regular Class, Special Risk Class, or Special Risk Administrative Support Class in terms of a percentage of the member’s gross compensation. Such contribution constitutes the entire health insurance subsidy contribution with respect to each such member. A change in the contribution rate is effective with the first salary paid on or after the beginning date of the change. The retiree health insurance subsidy contribution rate is as follows:

Dates of Contribution Rate Changes	Contribution Rate
October 1, 1987, through December 31, 1988	0.24%
January 1, 1989, through December 31, 1993	0.48%
January 1, 1994, through December 31, 1994	0.56%
January 1, 1995, through June 30, 1998	0.66%
July 1, 1998, through June 30, 2001	0.94%
July 1, 2001, through June 30, 2013	1.11%
Effective July 1, 2013, through June 30, 2014	1.20%
<i>Effective July 1, 2014</i>	1.30%

Such contributions shall be deposited by the administrator in the Retiree Health Insurance Subsidy Trust Fund.

Section 5. Subsections (4) and (5) of section 121.71, Florida Statutes, are amended to read:

121.71 Uniform rates; process; calculations; levy.—

(4) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, 2014 2013
Regular Class	3.53%
Special Risk Class	11.01% 11.00%
Special Risk Administrative Support Class	4.18% 4.17%
Elected Officers’ Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	6.30% 6.52%
Elected Officers’ Class— Justices, Judges	10.10% 10.05%
Elected Officers’ Class— County Elected Officers	8.36% 8.44%
Senior Management Class	4.80% 4.81%
DROP	4.30% 4.63%

(5) In order to address unfunded actuarial liabilities of the system, the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, 2014 2013
Regular Class	2.54% 2.10%
Special Risk Class	7.51% 6.83%
Special Risk Administrative Support Class	36.59% 30.56%
Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	38.66% 24.85%
Elected Officers' Class— Justices, Judges	21.77% 17.00%
Elected Officers' Class— County Elected Officers	33.58% 28.26%
Senior Management Service Class	15.04% 12.27%
DROP	6.72% 7.01%

Section 6. Section 121.74, Florida Statutes, is amended to read:

121.74 Administrative and educational expenses.—In addition to contributions required to *fund member accounts* under ss. 121.71 and 121.73, effective July 1, 2010, through June 30, 2014, employers participating in the Florida Retirement System shall contribute an *employer assessment* amount equal to 0.03 percent of the payroll reported for each class or subclass of Florida Retirement System membership. Effective July 1, 2014, the *employer assessment is contribution rate shall be* 0.04 percent of the payroll reported for each class or subclass of membership. The amount ~~assessed~~ ~~contributed~~ shall be transferred by the Division of Retirement from the Florida Retirement System Contributions Clearing Trust Fund to the State Board of Administration's Administrative Trust Fund to offset the costs of administering the investment plan and the costs of providing educational services to members of the Florida Retirement System. Approval of the trustees is required before the expenditure of these funds. Payments for third-party administrative or educational expenses shall be made only pursuant to the terms of the approved contracts for such services.

Section 7. *The Legislature finds that a proper and legitimate state purpose is served when employees, officers, and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees, officers, and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 8. *The Legislature finds that a proper and legitimate state purpose is served when employees, officers, and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees, officers, and retirees, are extended the basic protections afforded by governmental retirement systems that provide fair and adequate benefits, including health insurance subsidies, and that are managed, administered, and funded in a sustainable manner. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 9. 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 state-administered retirement systems; amending s. 112.363, F.S.; increasing the employer contribution to the retiree health insurance subsidy for members of a state-administered plan; amending s. 121.052, F.S.; increasing the employer contribution to the health insurance subsidy for members of the Elected Officers' Class; amending s. 121.055, F.S.; increasing the employer contribution to the health insurance subsidy for members of the Senior Management Service Class; amending s. 121.071, F.S.; increasing the employer contribution to the health insurance subsidy for members of the Regular, Special Risk, and Special Risk Administrative Support Classes;

amending s. 121.71, F.S.; revising the amount of employer contributions for the next fiscal year; amending s. 121.74, F.S.; revising terminology to refer to an employer assessment to offset the costs of administering the investment plan and providing education services; providing findings of important state interests; providing an effective date.

On motion by Senator Negron, by two-thirds vote **HB 5005** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Abruzzo

MOTION

On motion by Senator Negron, the Senate having refused to pass **HB 5007** and **HB 5005** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Thrasher, by two-thirds vote **HB 5007** and **HB 5005** were ordered immediately certified to the House.

SB 2508—A bill to be entitled An act relating to executive clemency; amending ss. 27.51 and 27.511, F.S.; removing authority of the trial court to appoint counsel for executive clemency proceedings; amending s. 27.5303, F.S.; removing authority of the court rendering judgment imposing the death penalty to appoint counsel for executive clemency proceedings; amending s. 27.5304, F.S.; removing authority for payment to the appointed attorney for representing a defendant in an application for executive clemency after the imposition of a death sentence; creating s. 940.031, F.S.; authorizing the Board of Executive Clemency to appoint private counsel to represent a person sentenced to death in an executive clemency proceeding; authorizing compensation of up to a specified amount to the appointed attorney from the General Revenue Funds appropriated to the Parole Commission; providing legislative intent; providing an effective date.

—was read the second time by title.

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 HB 5303 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

By Justice Appropriations Subcommittee and Representative(s) McBurney—

HB 5303—A bill to be entitled An act relating to counsel in proceedings for executive clemency; amending ss. 27.51 and 27.511, F.S.; de-

leting provisions concerning the power of a trial court to appoint the public defender, office of criminal conflict and civil regional counsel, or other attorney in proceedings for relief by executive clemency; amending s. 27.5303, F.S.; deleting provisions concerning the appointment of a public defender or attorney by the court to represent an indigent defendant in death penalty executive clemency proceedings; amending s. 27.5304, F.S.; deleting provisions concerning compensation of an appointed attorney representing a defendant in executive clemency proceedings; creating s. 940.031, F.S.; providing for clemency counsel representation of defendants in executive clemency proceedings; providing for compensation; amending s. 27.40, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committee on Appropriations.

Pending further consideration of **SB 2508**, on motion by Senator Bradley, by two-thirds vote **HB 5303** was withdrawn from the Committee on Appropriations.

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

HB 5303—A bill to be entitled An act relating to counsel in proceedings for executive clemency; amending ss. 27.51 and 27.511, F.S.; deleting provisions concerning the power of a trial court to appoint the public defender, office of criminal conflict and civil regional counsel, or other attorney in proceedings for relief by executive clemency; amending s. 27.5303, F.S.; deleting provisions concerning the appointment of a public defender or attorney by the court to represent an indigent defendant in death penalty executive clemency proceedings; amending s. 27.5304, F.S.; deleting provisions concerning compensation of an appointed attorney representing a defendant in executive clemency proceedings; creating s. 940.031, F.S.; providing for clemency counsel representation of defendants in executive clemency proceedings; providing for compensation; amending s. 27.40, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **SB 2508** and by two-thirds vote read the second time by title.

Senator Bradley moved the following amendment which was adopted:

Amendment 1 (528252) (with title amendment)—Delete every-thing after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (5) of section 27.51, Florida Statutes, is amended to read:

27.51 Duties of public defender.—

(5)(a) When direct appellate proceedings prosecuted by a public defender on behalf of an accused and challenging a judgment of conviction and sentence of death terminate in an affirmance of such conviction and sentence, whether by the Florida Supreme Court or by the United States Supreme Court or by expiration of any deadline for filing such appeal in a state or federal court, the public defender shall notify the accused of his or her rights pursuant to Rule 3.850, Florida Rules of Criminal Procedure, including any time limits pertinent thereto, and shall advise such person that representation in any collateral proceedings is the responsibility of the capital collateral regional counsel. The public defender shall then forward all original files on the matter to the capital collateral regional counsel, retaining such copies for his or her files as may be desired. ~~However, the trial court shall retain the power to appoint the public defender or other attorney not employed by the capital collateral regional counsel to represent such person in proceedings for relief by executive clemency pursuant to ss. 27.40 and 27.5303.~~

Section 2. Subsection (9) of section 27.511, Florida Statutes, is amended to read:

27.511 Offices of criminal conflict and civil regional counsel; legislative intent; qualifications; appointment; duties.—

(9) When direct appellate proceedings prosecuted by the office of criminal conflict and civil regional counsel on behalf of an accused and challenging a judgment of conviction and sentence of death terminate in an affirmance of such conviction and sentence, whether by the Supreme Court or by the United States Supreme Court or by expiration of any deadline for filing such appeal in a state or federal court, the office of criminal conflict and civil regional counsel shall notify the accused of his

or her rights pursuant to Rule 3.850, Florida Rules of Criminal Procedure, including any time limits pertinent thereto, and shall advise such person that representation in any collateral proceedings is the responsibility of the capital collateral regional counsel. The office of criminal conflict and civil regional counsel shall forward all original files on the matter to the capital collateral regional counsel, retaining such copies for his or her files as may be desired or required by law. ~~However, the trial court shall retain the power to appoint the office of criminal conflict and civil regional counsel or other attorney not employed by the capital collateral regional counsel to represent such person in proceedings for relief by executive clemency pursuant to ss. 27.40 and 27.5303.~~

Section 3. Subsection (4) of section 27.5303, Florida Statutes, is amended to read:

27.5303 Public defenders; criminal conflict and civil regional counsel; conflict of interest.—

(4)(a) If a defendant is convicted and the death sentence is imposed, the appointed attorney shall continue representation through appeal to the Supreme Court. The attorney shall be compensated as provided in s. 27.5304. If the attorney first appointed is unable to handle the appeal, the court shall appoint another attorney and that attorney shall be compensated as provided in s. 27.5304.

~~(b) The public defender or an attorney appointed pursuant to this section may be appointed by the court rendering the judgment imposing the death penalty to represent an indigent defendant who has applied for executive clemency as relief from the execution of the judgment imposing the death penalty.~~

(e) When the appointed attorney in a capital case has completed the duties imposed by this section, the attorney shall file a written report in the trial court stating the duties performed by the attorney and apply for discharge.

Section 4. Subsection (5) of section 27.5304, Florida Statutes, is amended to read:

27.5304 Private court-appointed counsel; compensation; notice.—

(5) The compensation for representation in a criminal proceeding ~~may shall~~ not exceed the following:

~~(a)1-~~ For misdemeanors and juveniles represented at the trial level: \$1,000.

~~(b)2-~~ For noncapital, nonlife felonies represented at the trial level: \$2,500.

~~(c)3-~~ For life felonies represented at the trial level: \$3,000.

~~(d)4-~~ For capital cases represented at the trial level: \$15,000. For purposes of this ~~paragraph~~ ~~subparagraph~~, a “capital case” is any offense for which the potential sentence is death and the state has not waived seeking the death penalty.

~~(e)5-~~ For representation on appeal: \$2,000.

~~(b) If a death sentence is imposed and affirmed on appeal to the Supreme Court, the appointed attorney shall be allowed compensation, not to exceed \$1,000, for attorney fees and costs incurred in representing the defendant as to an application for executive clemency, with compensation to be paid out of general revenue from funds budgeted to the Justice Administrative Commission.~~

Section 5. Section 940.031, Florida Statutes, is created to read:

940.031 Clemency counsel when sentence of death has been imposed.—

(1) The Board of Executive Clemency may appoint private counsel to represent a person sentenced to death for relief by executive clemency at such time as the board deems appropriate for clemency consideration. The board shall maintain a list of private counsel available for appointment under this section.

(2) The appointed private counsel shall be compensated by the board up to \$10,000 for attorney fees and costs incurred in representing the

person for relief by executive clemency, with compensation to be paid out of the General Revenue Fund from funds appropriated to the Parole Commission.

(3) It is the intent of the Legislature that the fee prescribed under this section be the full and complete compensation for appointed private counsel. It is further the intent of the Legislature that the fee in this section be prescribed for the purpose of providing counsel with notice of the limit on the amount of compensation for representation under this section. Appointment of counsel for executive clemency under this section shall be at the board's sole discretion. The provision of counsel for relief by executive clemency under this section does not create a statutory right to counsel in such proceedings.

Section 6. 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 executive clemency; amending ss. 27.51 and 27.511, F.S.; removing authority of the trial court to appoint counsel for executive clemency proceedings; amending s. 27.5303, F.S.; removing authority of the court rendering judgment imposing the death penalty to appoint counsel for executive clemency proceedings; amending s. 27.5304, F.S.; removing authority for payment to the appointed attorney for representing a defendant in an application for executive clemency after the imposition of a death sentence; creating s. 940.031, F.S.; authorizing the Board of Executive Clemency to appoint private counsel to represent a person sentenced to death in an executive clemency proceeding; authorizing compensation of up to a specified amount to the appointed attorney from the General Revenue Funds appropriated to the Parole Commission; providing legislative intent; providing an effective date.

On motion by Senator Bradley, by two-thirds vote **HB 5303** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

MOTION

On motion by Senator Bradley, the Senate having refused to pass **HB 5303** as passed by the House, acceded to the request for a conference committee.

SB 2510—A bill to be entitled An act relating to court-appointed counsel; amending s. 27.40, F.S.; eliminating the limited registry for private counsel willing to accept a flat fee; creating s. 27.401, F.S.; establishing the Cross-Circuit Conflict Representation Pilot Program in specified offices of the public defender and offices of criminal conflict and civil regional counsel; providing requirements for appointment of counsel in circuits and regions participating in the pilot program; requiring reports to be submitted by specified dates; requiring the Justice Administrative Commission to provide specified data; providing for future expiration of the pilot program; amending s. 27.5304, F.S.; increasing the statutory caps for certain flat fees in criminal cases; providing an effective date.

—was read the second time by title. On motion by Senator Bradley, by two-thirds vote **SB 2510** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

MOTION

On motion by Senator Bradley, the House was requested to pass **SB 2510** as passed by the Senate, or agree to include the bill in the budget conference.

On motion by Senator Thrasher, by two-thirds vote **HB 5303** and **SB 2510** were ordered immediately certified to the House.

SB 2512—A bill to be entitled An act relating to Medicaid; amending s. 395.602, F.S.; revising the definition of “rural hospital”; amending s. 409.911, F.S.; updating references to data to be used for calculations under the disproportionate share program; amending s. 409.962, F.S.; revising the term “provider service network”; amending s. 409.972, F.S.; deleting a requirement relating to medically needy recipients; amending s. 409.974, F.S.; expressly providing for contracting with eligible managed care plans; revising provisions relating to procuring a provider service network in a region; providing requirements for termination of a contract with certain managed care plans; requiring the Children’s Medical Services Network to operate as a fee-for-service provider service network under certain conditions; amending s. 409.975, F.S.; deleting a requirement that a managed care plan accept certain medically needy recipients; providing effective dates.

—was read the second time by title.

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 HB 5201 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. “Bob” Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Hudson—

HB 5201—A bill to be entitled An act relating to Medicaid; amending s. 409.911, F.S.; updating references to data used for calculations in the disproportionate share program; providing for continuance of Medicaid disproportionate share distributions for certain nonstate government owned or operated hospitals; providing an effective date.

—was referred to the Committee on Appropriations.

Pending further consideration of **SB 2512**, on motion by Senator Grimsley, by two-thirds vote **HB 5201** was withdrawn from the Committee on Appropriations.

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

HB 5201—A bill to be entitled An act relating to Medicaid; amending s. 409.911, F.S.; updating references to data used for calculations in the disproportionate share program; providing for continuance of Medicaid disproportionate share distributions for certain nonstate government owned or operated hospitals; providing an effective date.

—a companion measure, was substituted for **SB 2512** and by two-thirds vote read the second time by title.

Senator Grimsley moved the following amendment which was adopted:

Amendment 1 (495936) (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (e) of subsection (2) of section 395.602, Florida Statutes, is amended to read:

395.602 Rural hospitals.—

(2) DEFINITIONS.—As used in this part:

(e) “Rural hospital” means an acute care hospital licensed under this chapter, having 100 or fewer licensed beds and an emergency room, which is:

1. The sole provider within a county with a population density of *up to no greater than* 100 persons per square mile;

2. An acute care hospital, in a county with a population density of *up to no greater than* 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from any other acute care hospital within the same county;

3. A hospital supported by a tax district or subdistrict whose boundaries encompass a population of *up to* 100 persons ~~or fewer~~ per square mile;

4. *A hospital classified as a sole community hospital under 42 C.F.R. s. 412.92 which has up to 340 licensed beds* ~~A hospital in a constitutional charter county with a population of over 1 million persons that has imposed a local option health service tax pursuant to law and in an area that was directly impacted by a catastrophic event on August 24, 1992, for which the Governor of Florida declared a state of emergency pursuant to chapter 125, and has 120 beds or less that serves an agricultural community with an emergency room utilization of no less than 20,000 visits and a Medicaid inpatient utilization rate greater than 15 percent;~~

5. A hospital with a service area that has a population of *up to* 100 persons ~~or fewer~~ per square mile. As used in this subparagraph, the term “service area” means the fewest number of zip codes that account for 75 percent of the hospital’s discharges for the most recent 5-year period, based on information available from the hospital inpatient discharge database in the Florida Center for Health Information and Policy Analysis at the agency; or

6. A hospital designated as a critical access hospital, as defined in s. 408.07.

Population densities used in this paragraph must be based upon the most recently completed United States census. A hospital that received funds under s. 409.9116 for a quarter beginning no later than July 1, 2002, is deemed to have been and shall continue to be a rural hospital from that date through June 30, 2015, if the hospital continues to have *up to* 100 ~~or fewer~~ licensed beds and an emergency room, ~~or meets the criteria of subparagraph 4.~~ An acute care hospital that has not previously been designated as a rural hospital and that meets the criteria of this paragraph shall be granted such designation upon application, including supporting documentation, to the agency. A hospital that was licensed as a rural hospital during the 2010-2011 or 2011-2012 fiscal year shall continue to be a rural hospital from the date of designation through June 30, 2015, if the hospital continues to have *up to* 100 ~~or fewer~~ licensed beds and an emergency room.

Section 2. Paragraph (a) of subsection (2) of section 409.911, Florida Statutes, is amended to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:

(a) The average of the ~~2006, 2007, and 2008~~ ~~2005, 2006, and 2007~~ audited disproportionate share data to determine each hospital’s Medicaid days and charity care for the ~~2014-2015~~ ~~2013-2014~~ state fiscal year.

Section 3. Subsection (13) of section 409.962, Florida Statutes, is amended to read:

409.962 Definitions.—As used in this part, except as otherwise specifically provided, the term:

(13) “Provider service network” means an entity qualified pursuant to s. 409.912(4)(d) of which a controlling interest is owned by a health care provider, or group of ~~affiliated~~ ~~providers~~ *affiliated for the purpose of providing health care*, or a public agency or entity that delivers health services. Health care providers include Florida-licensed health care ~~practitioners~~ ~~professionals~~ or licensed health care facilities, federally qualified health care centers, and home health care agencies.

Section 4. Effective upon this act becoming a law, section 409.972, Florida Statutes, is amended to read:

409.972 Mandatory and voluntary enrollment.—

~~(1) Persons eligible for the program known as “medically needy” pursuant to s. 409.904(2) shall enroll in managed care plans. Medically needy recipients shall meet the share of the cost by paying the plan premium, up to the share of the cost amount, contingent upon federal approval.~~

~~(1)(2)~~ The following Medicaid-eligible persons are exempt from mandatory managed care enrollment required by s. 409.965, and may voluntarily choose to participate in the managed medical assistance program:

(a) Medicaid recipients who have other creditable health care coverage, excluding Medicare.

(b) Medicaid recipients residing in residential commitment facilities operated through the Department of Juvenile Justice or mental health treatment facilities as defined by s. 394.455(32).

(c) Persons eligible for refugee assistance.

(d) Medicaid recipients who are residents of a developmental disability center, including Sunland Center in Marianna and Tacachale in Gainesville.

(e) Medicaid recipients enrolled in the home and community based services waiver pursuant to chapter 393, and Medicaid recipients waiting for waiver services.

~~(f)~~ *Medicaid recipients residing in a group home facility licensed under chapter 393.*

~~(2)(3)~~ Persons eligible for Medicaid but exempt from mandatory participation who do not choose to enroll in managed care shall be served in the Medicaid fee-for-service program as provided ~~under~~ ~~in~~ part III of this chapter.

~~(3)(4)~~ The agency shall seek federal approval to require Medicaid recipients enrolled in managed care plans, as a condition of Medicaid

eligibility, to pay the Medicaid program a share of the premium of \$10 per month.

Section 5. Subsection (1) of section 409.974, Florida Statutes, is amended to read:

409.974 Eligible plans.—

(1) **ELIGIBLE PLAN SELECTION.**—The agency shall select *and contract with* eligible plans through the procurement process described in s. 409.966. The agency shall notice invitations to negotiate by ~~no later than~~ January 1, 2013.

(a) The agency shall procure *and contract with* two plans for Region 1. At least one plan shall be a provider service network if any provider service networks submit a responsive bid.

(b) The agency shall procure *and contract with* two plans for Region 2. At least one plan shall be a provider service network if any provider service networks submit a responsive bid.

(c) The agency shall procure *and contract with* at least three plans and up to five plans for Region 3. At least one plan must be a provider service network if any provider service networks submit a responsive bid.

(d) The agency shall procure *and contract with* at least three plans and up to five plans for Region 4. At least one plan must be a provider service network if any provider service networks submit a responsive bid.

(e) The agency shall procure *and contract with* at least two plans and up to four plans for Region 5. At least one plan must be a provider service network if any provider service networks submit a responsive bid.

(f) The agency shall procure *and contract with* at least four plans and up to seven plans for Region 6. At least one plan must be a provider service network if any provider service networks submit a responsive bid.

(g) The agency shall procure *and contract with* at least three plans and up to six plans for Region 7. At least one plan must be a provider service network if any provider service networks submit a responsive bid.

(h) The agency shall procure *and contract with* at least two plans and up to four plans for Region 8. At least one plan must be a provider service network if any provider service networks submit a responsive bid.

(i) The agency shall procure *and contract with* at least two plans and up to four plans for Region 9. At least one plan must be a provider service network if any provider service networks submit a responsive bid.

(j) The agency shall procure *and contract with* at least two plans and up to four plans for Region 10. At least one plan must be a provider service network if any provider service networks submit a responsive bid.

(k) The agency shall procure *and contract with* at least five plans and up to 10 plans for Region 11. At least one plan must be a provider service network if any provider service networks submit a responsive bid.

If no provider service network submits a responsive bid, the agency shall procure ~~up to no more than~~ one less than the maximum number of eligible plans permitted in that region ~~and, within the next 12 months after the initial invitation to negotiate, shall issue an invitation to negotiate in order the agency shall attempt~~ to procure *and contract with* a provider service network. *In a region in which the agency has contracted with only one provider service network and changes in the ownership or business structure of the network result in the network no longer meeting the definition of a provider service network under s. 409.962, the agency must, within the next 12 months, terminate the contract, provide shall notice of another invitation to negotiate, and procure and contract only with a provider service network in that region networks in those regions where no provider service network has been selected.*

Section 6. Effective upon this act becoming a law, subsection (4) of section 409.974, Florida Statutes, is amended to read:

409.974 Eligible plans.—

(4) **CHILDREN'S MEDICAL SERVICES NETWORK.**— Participation by the Children's Medical Services Network shall be pursuant to a single, statewide contract with the agency that is not subject to the procurement requirements or regional plan number limits of this section. *Following the successful completion of a readiness review, the Children's Medical Services Network shall operate as a fee-for-service provider service network with periodic reconciliations until July 1 of the fiscal year following the date on which the network qualifies to operate as a prepaid plan. While operating as a fee-for-service provider service network, the Children's Medical Services Network shall use the agency's third-party administrator for paying claims and related duties. The Children's Medical Services Network must meet all other plan requirements for the managed medical assistance program.*

Section 7. Effective upon this act becoming a law, subsection (7) of section 409.975, Florida Statutes, is amended to read:

409.975 Managed care plan accountability.—In addition to the requirements of s. 409.967, plans and providers participating in the managed medical assistance program shall comply with the requirements of this section.

~~(7) **MEDICALLY NEEDY ENROLLEES.**— Each managed care plan must accept any medically needy recipient who selects or is assigned to the plan and provide that recipient with continuous enrollment for 12 months. After the first month of qualifying as a medically needy recipient and enrolling in a plan, and contingent upon federal approval, the enrollee shall pay the plan a portion of the monthly premium equal to the enrollee's share of the cost as determined by the department. The agency shall pay any remaining portion of the monthly premium. Plans are not obligated to pay claims for medically needy patients for services provided before enrollment in the plan. Medically needy patients are responsible for payment of incurred claims that are used to determine eligibility. Plans must provide a grace period of at least 90 days before disenrolling recipients who fail to pay their shares of the premium.~~

Section 8. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, 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 Medicaid; amending s. 395.602, F.S.; revising the definition of "rural hospital"; amending s. 409.911, F.S.; updating references to data to be used for calculations under the disproportionate share program; amending s. 409.962, F.S.; revising the term "provider service network"; amending s. 409.972, F.S.; deleting a requirement relating to medically needy recipients; amending s. 409.974, F.S.; expressly providing for contracting with eligible managed care plans; revising provisions relating to procuring a provider service network in a region; providing requirements for termination of a contract with certain managed care plans; requiring the Children's Medical Services Network to operate as a fee-for-service provider service network under certain conditions; amending s. 409.975, F.S.; deleting a requirement that a managed care plan accept certain medically needy recipients; providing effective dates.

On motion by Senator Grimsley, by two-thirds vote **HB 5201** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Sobel Stargel Thrasher
Soto Thompson

Nays—None

Vote after roll call:

Yea—Margolis

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5001**, **HB 5003**, **HB 5201**, and **HB 5203** which come before the Senate for a vote on April 3, 2014.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

MOTION

On motion by Senator Grimsley, the Senate having refused to pass **HB 5201** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Thrasher, by two-thirds vote **HB 5201** was ordered immediately certified to the House.

SB 2514—A bill to be entitled An act relating to bicycle and pedestrian ways; amending s. 335.065, F.S.; authorizing the Department of Transportation 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; providing an effective date.

—was read the second time by title. On motion by Senator Gardiner, by two-thirds vote **SB 2514** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	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	Montford	
Evers	Negron	

Nays—None

Vote after roll call:

Yea—Lee

MOTION

On motion by Senator Gardiner, the House was requested to pass **SB 2514** as passed by the Senate, or agree to include the bill in the budget conference.

On motion by Senator Thrasher, by two-thirds vote **SB 2514** was ordered immediately certified to the House.

SB 852—A bill to be entitled An act relating to education; prohibiting a student from taking certain local assessments during a specified time; providing exceptions for certain examinations; providing an effective date.

—was read the second time by title.

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 HB 5101, as amended, and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

By Education Appropriations Subcommittee and Representative(s) Fresen—

HB 5101—A bill to be entitled An act relating to education funding; amending s. 1001.271, F.S.; establishing the Florida Information Resource Network according to specified requirements; providing for school district use of the network and requirements for compliance; amending ss. 1001.64 and 1001.65, F.S.; correcting cross-references; repealing s. 1002.31(9), F.S., relating to the calculation for compliance with maximum class size for a school or program that is a public school of choice under the controlled open enrollment program; amending s. 1002.32, F.S.; revising eligibility requirements for developmental research schools to receive sparsity supplement funds; amending s. 1002.33, F.S.; revising requirements for charter school compliance with maximum class size requirements; amending s. 1002.39, F.S.; providing that the John M. McKay Scholarship amount is not subject to a specified maximum value for funding; amending s. 1002.451, F.S.; revising requirements for district innovation school of technology compliance with maximum class size requirements; amending s. 1003.01, F.S.; removing certain courses from the definition of the term "core-curricula courses" as the term relates to maximum class size requirements; amending s. 1003.03, F.S.; requiring the Department of Education to make an annual determination relating to maximum class size compliance; calculating a school district's class size categorical allocation reduction at the school average when maximum class size requirements are not met; revising the calculation; amending s. 1003.436, F.S.; correcting a cross-reference; amending s. 1004.32, F.S.; revising the mission and goals of New College of Florida; providing for a master's degree program in data science and analytics at New College of Florida; amending s. 1006.29, F.S.; authorizing the department to assess and collect fees relating to the instructional materials approval process; authorizing a stipend to be paid to instructional materials reviewers; amending s. 1007.271, F.S.; providing coursework requirements for dual enrollment students; revising provisions relating to dual enrollment articulation agreements, participating postsecondary institutions, student eligibility, costs incurred by participating entities, payment, and funding; amending s. 1008.25, F.S.; correcting a cross-reference; amending s. 1009.22, F.S.; revising workforce education postsecondary tuition and out-of-state student fees; amending s. 1009.23, F.S.; revising Florida College System institution tuition and out-of-state student fees; amending s. 1009.24, F.S.; revising state university resident undergraduate tuition; amending s. 1009.286, F.S.; revising provisions relating to the excess hour surcharge; amending s. 1009.98, F.S.; revising provisions relating to advance payment contracts and payment to a state university on behalf of a qualified beneficiary; amending s. 1011.61, F.S.; providing that the scholarship amount paid to a student enrolled in the John M. McKay Scholarships for Students with Disabilities Program is not subject to a specified maximum value for funding; amending s. 1011.62, F.S.; revising provisions relating to dual enrollment instruction provided by eligible independent colleges and universities; providing for student access to dual enrollment; creating a technology supplemental allocation and providing for use of

the funds; amending s. 1011.80, F.S.; correcting a cross-reference; providing an effective date.

—was referred to the Committee on Appropriations.

Pending further consideration of **SB 852**, on motion by Senator Galvano, by two-thirds vote **HB 5101** was withdrawn from the Committee on Appropriations.

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

HB 5101—A bill to be entitled An act relating to education funding; amending s. 1001.271, F.S.; establishing the Florida Information Resource Network according to specified requirements; providing for school district use of the network and requirements for compliance; amending ss. 1001.64 and 1001.65, F.S.; correcting cross-references; repealing s. 1002.31(9), F.S., relating to the calculation for compliance with maximum class size for a school or program that is a public school of choice under the controlled open enrollment program; amending s. 1002.32, F.S.; revising eligibility requirements for developmental research schools to receive sparsity supplement funds; amending s. 1002.33, F.S.; revising requirements for charter school compliance with maximum class size requirements; amending s. 1002.39, F.S.; providing that the John M. McKay Scholarship amount is not subject to a specified maximum value for funding; amending s. 1002.451, F.S.; revising requirements for district innovation school of technology compliance with maximum class size requirements; amending s. 1003.01, F.S.; removing certain courses from the definition of the term “core-curricula courses” as the term relates to maximum class size requirements; amending s. 1003.03, F.S.; requiring the Department of Education to make an annual determination relating to maximum class size compliance; calculating a school district’s class size categorical allocation reduction at the school average when maximum class size requirements are not met; revising the calculation; amending s. 1003.436, F.S.; correcting a cross-reference; amending s. 1004.32, F.S.; revising the mission and goals of New College of Florida; providing for a master’s degree program in data science and analytics at New College of Florida; amending s. 1006.29, F.S.; authorizing the department to assess and collect fees relating to the instructional materials approval process; authorizing a stipend to be paid to instructional materials reviewers; amending s. 1007.271, F.S.; providing coursework requirements for dual enrollment students; revising provisions relating to dual enrollment articulation agreements, participating postsecondary institutions, student eligibility, costs incurred by participating entities, payment, and funding; amending s. 1008.25, F.S.; correcting a cross-reference; amending s. 1009.22, F.S.; revising workforce education postsecondary tuition and out-of-state student fees; amending s. 1009.23, F.S.; revising Florida College System institution tuition and out-of-state student fees; amending s. 1009.24, F.S.; revising state university resident undergraduate tuition; amending s. 1009.286, F.S.; revising provisions relating to the excess hour surcharge; amending s. 1009.98, F.S.; revising provisions relating to advance payment contracts and payment to a state university on behalf of a qualified beneficiary; amending s. 1011.61, F.S.; providing that the scholarship amount paid to a student enrolled in the John M. McKay Scholarships for Students with Disabilities Program is not subject to a specified maximum value for funding; amending s. 1011.62, F.S.; revising provisions relating to dual enrollment instruction provided by eligible independent colleges and universities; providing for student access to dual enrollment; creating a technology supplemental allocation and providing for use of the funds; amending s. 1011.80, F.S.; correcting a cross-reference; providing an effective date.

—a companion measure, was substituted for **SB 852** and by two-thirds vote read the second time by title.

Senator Galvano moved the following amendment which was adopted:

Amendment 1 (324342) (with title amendment)—Delete every-thing after the enacting clause and insert:

Section 1. Subsection (6) is added to section 215.61, Florida Statutes, to read:

215.61 State system of public education capital outlay bonds.—

(6) Pursuant to s. 9(a)(2), Art. XII of the State Constitution and s. 203.01(1)(c)2., all revenues collected from gross receipts taxes are deposited into the Public Education Capital Outlay and Debt Service Trust

Fund. Such revenues deposited into the trust fund are pledged and required to first be used for the payment of principal and interest on bonds secured by gross receipts tax revenues as provided in s. 9(a)(2), Art. XII of the State Constitution. The State Board of Education shall at least once per month, from gross receipts tax revenues available in the Public Education Capital Outlay and Debt Service Trust Fund, deposit into a separate account within such trust fund one-sixth of the amount due on the next interest payment date and one-twelfth of the amount due on the next principal payment date for all outstanding bonds secured by a pledge of gross receipts taxes. If there are insufficient funds to make the required deposit, the State Board of Education shall deposit an amount equal to the funds available into the separate account and in the following month, add an amount equal to the previous month’s shortfall to the required deposit. The State Board of Education shall transfer funds deposited into the separate account to the State Board of Administration, as the trustee for bondholders, by the 20th day of the month before a principal or interest payment on bonds issued pursuant to s. 9(a)(2), Art. XII of the State Constitution is due.

Section 2. On or before June 30, 2014, the State Board of Education shall transfer two-sixths of the amount due on the next interest payment date and two-twelfths of the amount due on the next principal payment date for all outstanding bonds issued pursuant to s. 9(a)(2), Art. XII of the State Constitution from cash balances in the Public Education Capital Outlay and Debt Service Trust Fund, to the separate account within the trust fund provided for in s. 215.61(6), Florida Statutes, to be reserved for the payment of debt service due on the outstanding bonds.

Section 3. Subsection (15) of section 1001.03, Florida Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.—

(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE DEGREE PROGRAMS.—The State Board of Education shall provide for the review and approval of proposals by Florida College System institutions to offer baccalaureate degree programs pursuant to s. 1007.33. A Florida College System institution, as defined in s. 1000.21, that is approved to offer baccalaureate degrees pursuant to s. 1007.33 remains under the authority of the State Board of Education and the Florida College System institution’s board of trustees. *The State Board of Education may not approve Florida College System institution baccalaureate degree program proposals from March 31, 2014, through May 31, 2015.*

Section 4. Subsection (4) of section 1007.33, Florida Statutes, is amended to read:

1007.33 Site-determined baccalaureate degree access.—

(4) A Florida College System institution may:

(a) Offer specified baccalaureate degree programs through formal agreements between the Florida College System institution and other regionally accredited postsecondary educational institutions pursuant to s. 1007.22.

(b) Offer baccalaureate degree programs that were authorized by law prior to July 1, 2009.

(c) Beginning July 1, 2009, establish a first or subsequent baccalaureate degree program for purposes of meeting district, regional, or statewide workforce needs if approved by the State Board of Education under this section.

Beginning July 1, 2009, the Board of Trustees of the St. Petersburg College is authorized to establish one or more bachelor of applied science degree programs based on an analysis of workforce needs in Pinellas, Pasco, and Hernando Counties and other counties approved by the Department of Education. For each program selected, St. Petersburg College must offer a related associate in science or associate in applied science degree program, and the baccalaureate degree level program must be designed to articulate fully with at least one associate in science degree program. The college is encouraged to develop articulation agreements for enrollment of graduates of related associate in applied science degree programs. The Board of Trustees of the St. Petersburg College is authorized to establish additional baccalaureate degree programs if it determines a program is warranted and feasible based on

each of the factors in paragraph (5)(d). *However, the Board of Trustees of the St. Petersburg College may not establish any new baccalaureate degree programs from March 31, 2014, through May 31, 2015.* Prior to developing or proposing a new baccalaureate degree program, St. Petersburg College shall engage in need, demand, and impact discussions with the state university in its service district and other local and regional, accredited postsecondary providers in its region. Documentation, data, and other information from inter-institutional discussions regarding program need, demand, and impact shall be provided to the college's board of trustees to inform the program approval process. Employment at St. Petersburg College is governed by the same laws that govern Florida College System institutions, except that upper-division faculty are eligible for continuing contracts upon the completion of the fifth year of teaching. Employee records for all personnel shall be maintained as required by s. 1012.81.

Section 5. Paragraph (d) of subsection (3) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(3)

(d) Beginning with the 2008-2009 fiscal year and *in the fall semester of each year thereafter, the rate for the tuition and the out-of-state fee per contact hour shall be increase at the beginning of each fall semester at a rate equal to inflation, unless otherwise provided in the General Appropriations Act. If the rate is not provided in the General Appropriations Act The Office of Economic and Demographic Research shall report the rate of inflation to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the State Board of Education each year prior to March 1. For purposes of this paragraph, the rate of inflation shall be defined as the rate of the 12-month percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor for December of the previous year. In the event the percentage change is negative, the tuition and out-of-state fee must shall* remain at the same level as the prior fiscal year.

Section 6. Paragraph (c) of subsection (3) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Florida College System institution student fees.—

(3)

(c) Beginning with the 2008-2009 fiscal year and *in the fall semester of each year thereafter, the rate for the tuition and the out-of-state fee shall be increase at the beginning of each fall semester at a rate equal to inflation, unless otherwise provided in the General Appropriations Act. If the rate is not provided in the General Appropriations Act The Office of Economic and Demographic Research shall report the rate of inflation to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the State Board of Education each year prior to March 1. For purposes of this paragraph, the rate of inflation shall be defined as the rate of the 12-month percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor for December of the previous year. In the event the percentage change is negative, the tuition and the out-of-state fee per credit hour must shall* remain at the same levels as the prior fiscal year.

Section 7. Paragraph (b) of subsection (4) and paragraph (b) of subsection (16) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—

(4)

(b) Beginning with the 2008-2009 fiscal year and *in the fall semester of each year thereafter, the rate for the resident undergraduate tuition per credit hour shall be increase at the beginning of each fall semester at a rate equal to inflation, unless otherwise provided in the General Appropriations Act. If the rate is not provided in the General Appropriations Act The Office of Economic and Demographic Research shall report the rate of inflation to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the Board of Governors each year*

prior to March 1. For purposes of this paragraph, the rate of inflation shall be defined as the rate of the 12-month percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor for December of the previous year. In the event the percentage change is negative, the resident undergraduate tuition must shall remain at the same level as the prior fiscal year.

(16) Each university board of trustees may establish a tuition differential for undergraduate courses upon receipt of approval from the Board of Governors. The tuition differential *must shall* promote improvements in the quality of undergraduate education and shall provide financial aid to undergraduate students who exhibit financial need.

(b) Each tuition differential is subject to the following conditions:

1. The tuition differential may be assessed on one or more undergraduate courses or on all undergraduate courses at a state university.

2. The tuition differential may vary by course or courses, campus or center location, and by institution. Each university board of trustees shall strive to maintain and increase enrollment in degree programs related to math, science, high technology, and other state or regional high-need fields when establishing tuition differentials by course.

3. For each state university that has total research and development expenditures for all fields of at least \$100 million per year as reported annually to the National Science Foundation, the aggregate sum of tuition and the tuition differential may not be increased by more than 6 15 percent of the total charged for the aggregate sum of these fees in the preceding fiscal year. For each state university that has total research and development expenditures for all fields of less than \$100 million per year as reported annually to the National Science Foundation, the aggregate sum of tuition and the tuition differential may not be increased by more than 6 15 percent of the total charged for the aggregate sum of these fees in the preceding fiscal year.

4. The aggregate sum of undergraduate tuition and fees per credit hour, including the tuition differential, may not exceed the national average of undergraduate tuition and fees at 4-year degree-granting public postsecondary educational institutions.

5. The tuition differential *may shall* not be included in any award under the Florida Bright Futures Scholarship Program established pursuant to ss. 1009.53-1009.538.

6. Beneficiaries having prepaid tuition contracts pursuant to s. 1009.98(2)(b) which were in effect on July 1, 2007, and which remain in effect, are exempt from the payment of the tuition differential.

7. The tuition differential may not be charged to any student who was in attendance at the university before July 1, 2007, and who maintains continuous enrollment.

8. The tuition differential may be waived by the university for students who meet the eligibility requirements for the Florida public student assistance grant established in s. 1009.50.

9. Subject to approval by the Board of Governors, the tuition differential authorized pursuant to this subsection may take effect with the 2009 fall term.

Section 8. Subsection (1) and paragraph (a) of subsection (2) of section 1009.55, Florida Statutes, are amended to read:

1009.55 Rosewood Family Scholarship Program.—

(1) There is created a Rosewood Family Scholarship Program for the direct descendants of the Rosewood families, not to exceed 50 25 scholarships per year.

(2) The Rosewood Family Scholarship Program shall be administered by the Department of Education. The State Board of Education shall adopt rules for administering this program which shall at a minimum provide for the following:

(a) The annual award to a student shall be up to \$6,100 \$4,000 but should not exceed an amount in excess of tuition and registration fees.

Section 9. Section 1009.893, Florida Statutes, is created to read:

1009.893 *Florida National Merit Scholar Incentive Program.*—

(1) *As used in this section, the term:*

(a) “Department” means the Department of Education.

(b) “Incentive program” means the Florida National Merit Scholar Incentive Program.

(2) *The Florida National Merit Scholar Incentive Program is created to reward any Florida high school graduate who receives recognition as a National Merit Scholar or National Achievement Scholar and who initially enrolls in the 2014-2015 academic year, or later, in a degree program, certificate program, or applied technology program at an eligible Florida public or independent postsecondary educational institution.*

(3) *The department shall administer the incentive program according to rules and procedures established by the State Board of Education. The department shall advertise the availability of the incentive program and notify students, teachers, parents, certified school counselors, and principals or other relevant school administrators of the criteria and application procedures.*

(4) *In order to be eligible for an award under the incentive program, a student must:*

(a) *Be a state resident as defined in s. 1009.40 and rules of the State Board of Education.*

(b) *Earn a standard Florida high school diploma or its equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.4282, or s. 1003.435 unless:*

1. *The student completes a home education program according to s. 1002.41; or*

2. *The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on military or public service assignment away from this state.*

(c) *Be accepted by and enroll in a Florida public or independent postsecondary educational institution that meets the eligibility requirements specified in s. 1009.533.*

(d) *Be enrolled for at least 6 semester credit hours or the equivalent in quarter hours or clock hours.*

(5)(a) *An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a public postsecondary educational institution must receive an incentive award equal to the institutional cost of attendance minus the sum of the student’s Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.*

(b) *An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends an independent postsecondary educational institution must receive an incentive award equal to the highest cost of attendance at a Florida public university, as reported by the Board of Governors of the State University System, minus the sum of the student’s Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.*

(6)(a) *To be eligible for a renewal award, a student must meet the renewal requirements for the Florida Bright Futures Scholarship Program set forth in s. 1009.532(1)(a) and for the Florida Academic Scholars award set forth in s. 1009.534(3).*

(b) *A student may receive the incentive award for a maximum of 100 percent of the number of credit hours required to complete an associate degree program or a baccalaureate degree program or receive an award for a maximum of 100 percent of the credit hours or clock hours required to complete up to 90 credit hours of a program that terminates in a career certificate.*

(7) *The department shall annually issue awards from the incentive program. Before the registration period each semester, the department shall transmit payment for each award to the president or director of the postsecondary educational institution, or his or her representative, except*

that the department may withhold payment if the receiving institution fails to report or to make refunds to the department as required in this section.

(a) *Each institution shall certify to the department the eligibility status of each student to receive a disbursement within 30 days before the end of its regular registration period, inclusive of a drop and add period. An institution is not required to reevaluate the student eligibility after the end of the drop and add period.*

(b) *An institution that receives funds from the incentive program must certify to the department the amount of funds disbursed to each student and remit to the department any undisbursed advances within 60 days after the end of regular registration.*

(c) *If funds appropriated are not adequate to provide the maximum allowable award to each eligible student, awards must be prorated using the same percentage reduction.*

(8) *Funds from any award within the incentive program may not be used to pay for remedial coursework or developmental education.*

(9) *A student may use an award for a summer term if funds are available and appropriated by the Legislature.*

(10) *Funds appropriated by the Legislature for the incentive program awards may be deposited into the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the incentive program must remain in the incentive program and shall be available for carrying out the purposes of this section. The department shall allocate funds to the appropriate institutions and collect and maintain data regarding the incentive program within the student financial assistance database as specified in s. 1009.94.*

(11) *The State Board of Education shall adopt rules necessary to administer this section.*

(12) *Subsection (4) of s. 1009.40 does not apply to awards issued under this section.*

Section 10. Section 1002.385, Florida Statutes, is created to read:

1002.385 *Florida Personal Learning Scholarship Accounts.*—

(1) **ESTABLISHMENT OF PROGRAM.**—*The Florida Personal Learning Scholarship Accounts is established to provide the option for a parent to better meet the individual educational needs of his or her eligible child.*

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

(a) “Agency” means the Agency for Persons with Disabilities.

(b) “Approved provider” means a provider approved by the Agency for Persons with Disabilities, a health care practitioner as defined in s. 456.001(4), or a provider approved by the Department of Education pursuant to s. 1002.66.

(c) “Curriculum” means a complete course of study for a particular content area or grade level, including any required supplemental materials.

(d) “Disability” means, for a student in kindergarten to grade 12, autism, as defined in s. 393.063(3); cerebral palsy, as defined in s. 393.063(4); Down syndrome, as defined in s. 393.063(13); an intellectual disability, as defined in s. 393.063(21); Prader-Willi syndrome, as defined in s. 393.063(25); Spina bifida, as defined in s. 393.063(36); for a student in kindergarten, being a high-risk child, as defined in s. 393.063(20)(a); or Williams syndrome.

(e) “Eligible postsecondary educational institution” means a Florida College System institution, a state university, a school district technical center, a school district adult general education center, or an accredited nonpublic postsecondary educational institution, as defined in s. 1005.02, which is licensed to operate in the state pursuant to requirements specified in part III of chapter 1005.

(f) “Eligible private school” means a private school, as defined in s. 1002.01, which is located in this state, which offers an education to students in any grade from kindergarten to grade 12, and which meets the requirements of:

1. Sections 1002.42 and 1002.421; and
2. A scholarship program under s. 1002.39 or s. 1002.395, as applicable, if the private school participates in a scholarship program under s. 1002.39 or s. 1002.395.

(g) “ILSP” means an individual learning services plan that is developed for a student who participates in the program.

(h) “Parent” means a resident of this state who is a parent, as defined in s. 1000.21.

(i) “Program” means the Florida Personal Learning Scholarship Accounts established in this section.

(3) **PROGRAM ELIGIBILITY.**—A parent of a student with a disability may request and receive from the state a Florida personal learning scholarship account for the purposes specified in subsection (5) if:

- (a) The student:
1. Is a resident of this state;
 2. Is eligible to enroll in kindergarten through grade 12 in a public school in this state;
 3. Has a disability as defined in paragraph (2)(d) and meets the agency’s eligibility criteria;
 4. Has an ILSP developed by the agency in consultation with the parent and written in accordance with rules of the Agency for Persons with Disabilities; and
 5. Complies with regular school attendance pursuant to s. 1003.01(13); and

(b) The parent has applied to the agency to participate in the program by February 1 prior to the school year in which the student will participate or an alternate date adopted by the agency in rule for any vacant, funded slots. The request must be communicated directly to the agency in a manner that creates a written or electronic record of the request and the date of receipt of the request. The agency must notify the school district and the Department of Education of the parent’s intent upon receipt of the parent’s request.

(4) **PROGRAM PROHIBITIONS.**—A student is not eligible for the program if:

- (a) The student or student’s parent has accepted any payment, refund, or rebate, in any manner, from a provider of any services received pursuant to subsection (5);
- (b) The student’s participation in the program has been denied or revoked by the executive director of the Agency for Persons with Disabilities pursuant to subsection (10); or
- (c) The student’s parent has forfeited participation in the program for failure to comply with requirements pursuant to subsection (11).

(5) **AUTHORIZED USES OF PROGRAM FUNDS.**—Program funds may be spent for the following purposes, according to the goals and objectives identified in the student’s ILSP:

- (a) Instructional materials, including digital devices, digital peripheral devices, and assistive technology devices that allow a student to access instruction or instructional content.
- (b) Curriculum as defined in paragraph (2)(c).
- (c) Specialized services by approved providers that are selected by the parent and specified in the student’s ILSP. These specialized services may include, but are not limited to:
1. Applied behavior analysis services as provided in ss. 627.6686 and 641.31098.

2. Services provided by speech-language pathologists as defined in s. 468.1125.

3. Occupational therapy services as defined in s. 468.203.
4. Services provided by physical therapists as defined in s. 486.021.
5. Services provided by listening and spoken language specialists and an appropriate acoustical environment for a child who is deaf or hard of hearing and who has received an implant or assistive hearing device.

(d) Enrollment in, or tuition or fees associated with enrollment in, an eligible private school, an eligible postsecondary educational institution, a private tutoring program authorized under s. 1002.43, a virtual program offered by a department-approved private online provider that meets the provider qualifications specified in s. 1002.45(2)(a), or an approved online course offered pursuant to s. 1003.499 or s. 1004.0961.

(e) Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement examinations, industry certification examinations, assessments related to postsecondary education, or other assessments specified in the student’s ILSP.

(f) Contributions to a Coverdell education savings established pursuant to 26 U.S.C. s. 530 of the Internal Revenue Code for the benefit of the eligible student.

(g) Contributions to the Stanley G. Tate Florida Prepaid College Program pursuant to s. 1009.98, for the benefit of the eligible student.

(h) Contracted services provided by a public school or school district, including classes for the services specified in the ILSP or additional services. A student who receives services under a contract under this paragraph shall not be considered to be enrolled in a public school for eligibility purposes as specified in subsection (3).

A specialized service provider, eligible private school, eligible postsecondary educational institution, private tutoring program provider, online or virtual program provider, public school, school district, or other entity receiving payments pursuant to this subsection may not share, refund, or rebate any moneys from a Florida personal learning scholarship account with the parent or participating student in any manner.

(6) **TERM OF THE PROGRAM.**—For purposes of continuity of educational choice, the program payments made under this section shall remain in force until a student participating in the program participates in any of the prohibited activities specified in subsection (4), has funds revoked by the agency pursuant to subsection (10), graduates from high school, or reaches 22 years of age, whichever occurs first.

(7) **SCHOOL DISTRICT OBLIGATIONS.**—The school district retains all current duties, authority, and responsibilities as specified in the Florida K-20 Education Code.

(8) **DEPARTMENT OF EDUCATION OBLIGATIONS.**—The department shall:

(a) Maintain a list of eligible private schools as defined in paragraph (2)(f) and private tutoring programs pursuant to s. 1002.43.

(b) Compare the list of students participating in the program with the public school enrollment lists before each program payment to avoid duplicate payments.

The department retains all current duties, authority, and responsibilities as specified in the Florida K-20 Education Code.

(9) **COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.**—The Commissioner of Education retains all current duties, authority, and responsibilities as specified in the Florida K-20 Education Code.

(10) **AUTHORITY AND OBLIGATIONS OF THE EXECUTIVE DIRECTOR OF THE AGENCY FOR PERSONS WITH DISABILITIES.**—

- (a) The executive director:

1. Shall deny, suspend, or revoke a student's participation in the program if the health, safety, or welfare of the student is threatened or fraud is suspected.

2. Shall deny, suspend, or revoke an authorized use of program funds if the health, safety, or welfare of the student is threatened or fraud is suspected.

3. May deny, suspend, or revoke an authorized use of program funds for material failure to comply with this section and applicable agency rules if the noncompliance is correctable within a reasonable period of time. Otherwise, the executive director shall deny, suspend, or revoke an authorized use for failure to materially comply with the law and rules adopted under this section.

4. Shall require compliance by the appropriate party by a date certain for all nonmaterial failures to comply with this section and applicable agency rules. The executive director may deny, suspend, or revoke program participation under this section thereafter.

(b) In determining whether to deny, suspend, or revoke in accordance with this subsection, the executive director may consider factors that include, but are not limited to, acts or omissions by a participating entity which led to a previous denial or revocation of participation in an education scholarship program under this chapter; failure to reimburse the agency for program funds improperly received or retained by the entity; imposition of a prior criminal sanction related to the entity or its officers or employees; imposition of a civil fine or administrative fine, license revocation or suspension, or program eligibility suspension, termination, or revocation related to an entity's management or operation; or other types of criminal proceedings in which the entity or its officers or employees were found guilty of, regardless of adjudication, or entered a plea of *nolo contendere* or guilty to, any offense involving fraud, deceit, dishonesty, or moral turpitude.

(11) **PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.**—A parent who applies for program participation under this section is exercising his or her parental option to determine the appropriate placement or services that best meet the needs of his or her student. To enroll an eligible student in the program, the parent must sign an agreement with the agency and annually submit a notarized, sworn compliance statement to the agency to:

(a) Affirm that the student is enrolled in a school or program that meets minimum student attendance requirements as provided in s. 1003.21.

(b) Comply with the ILSP and use the program funds only for authorized purposes to meet the student's goals and objectives in the ILSP as described in subsection (2).

(c) Provide for an appropriate assessment that documents the student's demonstration of educational progress at a level commensurate with her or his ability, in accordance with the requirements for the academic program selected by the parent who enrolls the student in a private school pursuant to paragraph (2)(f), a home education program pursuant to s. 1002.41, or a scholarship program pursuant to s. 1002.39 or s. 1002.395.

(d) Affirm that the student takes all appropriate assessments as specified in the student's ILSP. The parent is responsible for transporting the student to the assessment site designated by the school district if the parent selects a statewide, standardized assessment pursuant to s. 1008.22.

(e) Notify the school district that the student is participating in the program if the parent chooses to enroll the student in an eligible private school pursuant to paragraph (2)(g), a home education program pursuant to s. 1002.41, a scholarship program pursuant to this chapter, or a private tutoring program authorized under s. 1002.43.

(f) Request participation in the program at least 60 days before the date of the first program payment.

(g) Affirm that the student remains in good standing with the provider or school if those options are selected by the parent.

(h) Apply for admission of his or her child if the private school option is selected by the parent.

(i) Annually renew participation in the program.

(j) Be responsible for the payment of all eligible expenses in excess of the amount of the personal learning scholarship account.

(k) Affirm that the parent will not transfer any college savings funds to another beneficiary.

(l) Affirm that the parent will not take possession of any funding contributed by the state.

(m) Maintain a portfolio of records and materials which must be preserved by the parent for 2 years and be made available for inspection by the district school superintendent or the superintendent's designee upon 15 days' written notice. This paragraph does not require the superintendent to inspect the portfolio. The portfolio of records and materials consists of:

1. A log of educational instruction and services which is made contemporaneously with delivery of the instruction and services and which designates by title any reading materials used; and

2. Samples of any writings, worksheets, workbooks, or creative materials used or developed by the student.

A parent who fails to comply with this subsection forfeits the personal learning scholarship account.

(12) **PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.**—An eligible private school as defined in paragraph (2)(f) must:

(a) Comply with all requirements for private schools in ss. 1002.42 and 1002.421. A private school participating in a scholarship program under s. 1002.39 or s. 1002.395 must also comply with the requirements of that scholarship program.

(b) Provide to the agency, upon request, all documentation required for the student's participation, including the private school's and student's fee schedules.

(c) Be academically accountable to the parent for meeting the educational needs of the student.

(d) Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship under this section at the school's physical location.

The inability of a private school to meet the requirements of this subsection shall constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the Department of Education.

(13) **AGENCY FOR PERSONS WITH DISABILITIES OBLIGATIONS.**—

(a) The agency shall:

1. Monitor and provide oversight for the program.

2. Receive applications and determine student eligibility in accordance with the requirements of this section. The agency must notify the Department of Education of the applicants for the program by February 1 prior to the school year in which the student intends to participate and indicate how the student will comply with regular school attendance pursuant to ss. 1003.01(13) and 1003.23.

3. Notify parents of their receipt of a scholarship on a first-come, first-served basis based upon the funds provided for this program in the General Appropriations Act.

4. Establish a date by which a parent must confirm initial or continuing participation in the program and confirm the establishment or continuance of a personal learning scholarship account.

5. Establish a date and process by which students on the wait list or late-filing applicants may be allowed to participate in the program during the school year, within the amount of funds provided for this program in the General Appropriations Act.

6. *Develop an ILSP, in consultation with the parent, which documents the following:*

- a. *That the student has an eligible disability.*
- b. *Learning goals and objectives for the student which are linked directly to how program funds will be spent for authorized services.*
- c. *How attendance requirements in s. 1003.21 will be met.*
- d. *How progress towards meeting the individual learning goals and objectives will be assessed and documented for purposes of continued participation in the program.*

7. *Assign a level of services category for each student that documents the nature and intensity of services that the student will need to meet the learning outcomes specified in his or her ILSP. The level of services determines the amount of the award for the student.*

8. *Receive an administrative fee of up to 10 percent from the appropriation to operate the Florida Personal Learning Scholarship Accounts.*

9. *Establish and maintain a separate account for each eligible student.*

10. *Establish and maintain a list of approved providers pursuant to paragraph (2)(b).*

11. *Verify eligible expenditures prior to the distribution of funds for any expenditures made pursuant to paragraphs (5)(a) and (b). The review of expenditures for services in paragraphs (5)(c) through (h) may be completed after the payment has been made.*

12. *Develop a system for payment of benefits by electronic funds transfer, including, but not limited to, debit cards, electronic payment cards, or any other means of electronic payment that the agency deems to be commercially viable or cost-effective. Commodities or services related to the development of such a system shall be procured by competitive solicitation unless they are purchased from a state term contract pursuant to s. 287.056.*

(b) *The agency may contract for services.*

(14) **FUNDING AND PAYMENT.—**

(a) *Funding for the Florida Personal Learning Scholarship Accounts shall be provided in the General Appropriations Act which shall specify the annual amount per service level for public school students, private school students, home education students, students receiving a scholarship pursuant to s. 1002.39 or s. 1002.395, and students participating in a private tutoring program.*

(b) *Upon an eligible student's graduation from an eligible postsecondary educational institution or after any period of 4 consecutive years after high school graduation in which the student is not enrolled in an eligible postsecondary educational institution, the student's personal learning scholarship account shall be closed, and any remaining funds shall revert to the state.*

(c) *Moneys received pursuant to this section do not constitute taxable income to the parent of an eligible student.*

(15) **OBLIGATIONS OF THE AUDITOR GENERAL.—***The Auditor General shall conduct an annual financial and operational audit of accounts and records of the Florida Personal Learning Scholarship Accounts. As a part of this audit, the Auditor General shall verify, at a minimum, the total amount of students served and eligibility of reimbursement made by the agency and transmit that information to the agency.*

(16) **LIABILITY.—***The state is not liable for the award or any use of awarded funds under this section.*

(17) **SCOPE OF AUTHORITY.—***This section does not expand the regulatory authority of this state, its officers, or any school district to impose additional regulation on participating private schools, nonpublic postsecondary educational institutions, and private providers beyond those reasonably necessary to enforce requirements expressly set forth in this section.*

(18) **RULES.—***The Agency for Persons with Disabilities shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.*

(19) **IMPLEMENTATION SCHEDULE FOR THE 2014-2015 SCHOOL YEAR.—**

(a) *The Agency for Persons with Disabilities shall, in consultation with an advisory work group, develop an ILSP, levels of services requirements, a system for payment of claims and providers, and a system to document and assess progress toward meeting the individual learning goals and objectives in the ILSP. The advisory work group shall make specific recommendations by October 1, 2014, to the agency. The agency shall adopt rules to implement the recommendations of the advisory group by December 31, 2014. The Commissioner of Education, the executive director of the agency, the Chancellor of the State University System, and the director of the Division of Vocational Rehabilitation shall appoint staff to work on the advisory group with representatives from the Center for Autism and Related Disabilities (CARD) and the Florida Diagnostic and Learning Resources System (FDLRS).*

(b) *Notwithstanding the provisions of this section related to notification and eligibility timelines, the agency may enroll parents in a statewide pilot program on a rolling schedule on a first-come, first-served basis, no later than January 31, 2015, within the amount of funds provided in the General Appropriations Act.*

(c) *There is hereby appropriated for the 2014-2015 fiscal year to the Agency for Persons with Disabilities a sum of \$18,400,000 from the Operations and Maintenance Trust Fund for the implementation of the Personal Learning Scholarship Accounts Program. From these funds, \$1,500,000 shall be allocated to the Agency for Persons with Disabilities for startup costs for planning and implementation of the pilot program. For the pilot program in the 2014-2015 fiscal year, the agency shall provide awards for eligible students which range from \$5,000 to \$19,000 per recipient and shall be based on service levels established by the agency. Public school students and students who receive a scholarship pursuant to ss. 1002.39 and 1002.395 shall receive 50 percent of the designated amount for the student's service level.*

Section 11. Present subsection (10) of section 1003.4282, Florida Statutes, is renumbered as subsection (11), and a new subsection (10) is added to that section, to read:

1003.4282 Requirements for a standard high school diploma.—

(10) **STUDENTS WITH DISABILITIES.—***Beginning with students entering grade 9 in the 2014-2015 school year, this subsection applies to a student with a disability for whom the IEP team has determined that the Florida Alternate Assessment is the most appropriate measure of the student's skills.*

(a) *A parent of the student with a disability shall, in collaboration with the individual education plan team pursuant to s. 1003.5716, declare an intent for the student to graduate from high school with either a standard high school diploma or a certificate of completion. A student with a disability who does not satisfy the standard high school diploma requirements pursuant to this section shall be awarded a certificate of completion.*

(b) *The following options, in addition to the other options specified in this section, may be used to satisfy the standard high school diploma requirements, as specified in the student's individual education plan:*

1. *A combination of course substitutions, assessments, industry certifications, and other acceleration options appropriate to the student's unique skills and abilities that meet the criteria established by State Board of Education rule.*

2. *A portfolio of quantifiable evidence that documents a student's mastery of academic standards through rigorous metrics established by State Board of Education rule. A portfolio may include, but is not limited to, documentation of work experience, internships, community service, and postsecondary credit.*

(c) *A student with a disability who meets the standard high school diploma requirements in this section may defer the receipt of a standard high school diploma if the student:*

1. *Has an individual education plan that prescribes special education, transition planning, transition services, or related services through age 21; and*

2. *Is enrolled in accelerated college credit instruction pursuant to s. 1007.27, industry certification courses that lead to college credit, a collegiate high school program, courses necessary to satisfy the Scholar designation requirements, or a structured work-study, internship, or preapprenticeship program.*

(d) *A student with a disability who receives a certificate of completion and has an individual education plan that prescribes special education, transition planning, transition services, or related services through 21 years of age may continue to receive the specified instruction and services.*

(e) *Any waiver of the statewide, standardized assessment requirements by the individual education plan team, pursuant to s. 1008.22(3)(c), must be approved by the parent and is subject to verification for appropriateness by an independent reviewer selected by the parent as provided for in s. 1003.572.*

Section 12. *Effective July 1, 2015, section 1003.438, Florida Statutes, is repealed.*

Section 13. Section 1003.5716, Florida Statutes, is created to read:

1003.5716 *Transition to postsecondary education and career opportunities.—All students with disabilities who are 3 years of age to 21 years of age have the right to a free, appropriate public education. As used in this section, the term “IEP” means individual education plan.*

(1) *To ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities, an IEP team shall begin the process of, and develop an IEP for, identifying the need for transition services before the student with a disability attains the age of 14 years in order for his or her postsecondary goals and career goals to be identified and in place when he or she attains the age of 16 years. This process must include, but is not limited to:*

(a) *Consideration of the student’s need for instruction in the area of self-determination and self-advocacy to assist the student’s active and effective participation in an IEP meeting; and*

(b) *Preparation for the student to graduate from high school with a standard high school diploma pursuant to s. 1003.4282 with a Scholar designation unless the parent chooses a Merit designation.*

(2) *Beginning not later than the first IEP to be in effect when the student turns 16, or younger, if determined appropriate by the parent and the IEP team, the IEP must include the following statements that must be updated annually:*

(a) *A statement of intent to pursue a standard high school diploma and a Scholar or Merit designation, pursuant to s. 1003.4285, as determined by the parent.*

(b) *A statement of intent to receive a standard high school diploma before the student reaches the age of 22 and a description of how the student will fully meet the requirements in s. 1003.428 or s. 1003.4282, as applicable, including, but not limited to, a portfolio pursuant to s. 1003.4282(10)(b) that meets the criteria specified in State Board of Education rule. The IEP must also specify the outcomes and additional benefits expected by the parent and the IEP team at the time of the student’s graduation.*

(c) *A statement of appropriate measurable long-term postsecondary education and career goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills and the transition services, including courses of study needed to assist the student in reaching those goals.*

(3) *Any change in the IEP for the goals specified in subsection (2) must be approved by the parent and is subject to verification for appropriateness by an independent reviewer selected by the parent as provided in s. 1003.572.*

(4) *If a participating agency responsible for transition services, other than the school district, fails to provide the transition services described in the IEP, the school district shall reconvene the IEP team to identify*

alternative strategies to meet the transition objectives for the student that are specified in the IEP. However, this does not relieve any participating agency of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that agency.

Section 14. Subsection (3) of section 1003.572, Florida Statutes, is amended to read:

1003.572 *Collaboration of public and private instructional personnel.—*

(3) *Private instructional personnel who are hired or contracted by parents to collaborate with public instructional personnel must be permitted to observe the student in the educational setting, collaborate with instructional personnel in the educational setting, and provide services in the educational setting according to the following requirements:*

(a) *The student’s public instructional personnel and principal consent to the time and place.*

(b) *The private instructional personnel satisfy the requirements of s. 1012.32 or s. 1012.321.*

For the purpose of implementing this subsection, a school district may not impose any requirements beyond those requirements specified in this subsection or charge any fees.

Section 15. Section 1008.2121, Florida Statutes, is created to read:

1008.2121 *Students with severe cognitive or physical disabilities; permanent exemption.—Based on information that a reasonably prudent person would rely upon, including, but not limited to, facts contained within an individual education plan under s. 1008.212, documentation from an appropriate health care provider, or certification from the district school board superintendent, the Commissioner of Education shall perfunctorily grant a permanent exemption to a student who suffers from such a severe cognitive disability or physical disability that the student permanently lacks the capacity to take statewide, standardized assessments. The State Board of Education shall adopt rules to administer this section, including, but not limited to, expediting the exemption process to demonstrate the utmost compassion and consideration for meeting the parent’s and student’s needs.*

Section 16. Paragraph (c) of subsection (5) and paragraph (b) of subsection (6) of section 1008.25, Florida Statutes, are amended to read:

1008.25 *Public school student progression; remedial instruction; reporting requirements.—*

(5) **READING DEFICIENCY AND PARENTAL NOTIFICATION.—**

(c) *The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be notified in writing of the following:*

1. *That his or her child has been identified as having a substantial deficiency in reading.*

2. *A description of the current services that are provided to the child.*

3. *A description of the proposed supplemental instructional services and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.*

4. *That if the child’s reading deficiency is not remediated by the end of grade 3, the child must be retained unless he or she is exempt from mandatory retention for good cause.*

5. *Strategies for parents to use in helping their child succeed in reading proficiency.*

6. *That the Florida Comprehensive Assessment Test (FCAT) is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the school district in knowing when a child is reading at or above grade level and ready for grade promotion.*

7. *The district's specific criteria and policies for a portfolio as provided in subparagraph (6)(b)4. and the evidence required for a student to demonstrate mastery of Florida's academic standards for English Language Arts. A parent of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school immediately begin collecting evidence for a portfolio.*

8.7. The district's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

(6) ELIMINATION OF SOCIAL PROMOTION.—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(b), for good cause. A student who is promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of reading strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students that have reading difficulties. Good cause exemptions shall be limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program.

2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of State Board of Education rule.

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.

4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on FCAT Reading or the common core English Language Arts assessment, as applicable under s. 1008.22.

5. Students with disabilities who participate in FCAT Reading or the common core English Language Arts assessment, as applicable under s. 1008.22, and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive remediation in reading and English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in kindergarten, grade 1, grade 2, or grade 3.

6. *Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.*

7.6. Students who have received intensive remediation in reading and English Language Arts, as applicable under s. 1008.22, for 2 or more years but still demonstrate a deficiency and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. Intensive instruction for students so promoted must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The district school board shall assist schools and teachers to implement reading strategies that research has shown to be successful in improving reading among low-performing readers.

Section 17. Effective July 1, 2015, paragraph (c) of subsection (1) of section 120.81, Florida Statutes, is amended to read:

120.81 Exceptions and special requirements; general areas.—

(1) EDUCATIONAL UNITS.—

(c) Notwithstanding s. 120.52(16), any tests, test scoring criteria, or testing procedures relating to student assessment which are developed or administered by the Department of Education pursuant to s. 1003.428, s. 1003.429, ~~s. 1003.438~~, s. 1008.22, or s. 1008.25, or any other statewide educational tests required by law, are not rules.

Section 18. Effective July 1, 2015, paragraph (a) of subsection (2) of section 409.1451, Florida Statutes, is amended to read:

409.1451 The Road-to-Independence Program.—

(2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

(a) A young adult is eligible for services and support under this subsection if he or she:

1. Was living in licensed care on his or her 18th birthday or is currently living in licensed care; or was at least 16 years of age and was adopted from foster care or placed with a court-approved dependency guardian after spending at least 6 months in licensed care within the 12 months immediately preceding such placement or adoption;

2. Spent at least 6 months in licensed care before reaching his or her 18th birthday;

3. Earned a standard high school diploma or its equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.429, or s. 1003.435, ~~or s. 1003.438~~;

4. Has been admitted for enrollment as a full-time student or its equivalent in an eligible postsecondary educational institution as provided in s. 1009.533. For purposes of this section, the term "full-time" means 9 credit hours or the vocational school equivalent. A student may enroll part-time if he or she has a recognized disability or is faced with another challenge or circumstance that would prevent full-time attendance. A student needing to enroll part-time for any reason other than having a recognized disability must get approval from his or her academic advisor;

5. Has reached 18 years of age but is not yet 23 years of age;

6. Has applied, with assistance from the young adult's caregiver and the community-based lead agency, for any other grants and scholarships for which he or she may qualify;

7. Submitted a Free Application for Federal Student Aid which is complete and error free; and

8. Signed an agreement to allow the department and the community-based care lead agency access to school records.

Section 19. Effective July 1, 2015, subsection (4) of section 1007.263, Florida Statutes, is amended to read:

1007.263 Florida College System institutions; admissions of students.—Each Florida College System institution board of trustees is authorized to adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules shall include the following:

(4) A student who has been awarded ~~a special diploma as defined in s. 1003.438~~ or a certificate of completion as defined in s. 1003.428(7)(b) is eligible to enroll in certificate career education programs.

Each board of trustees shall establish policies that notify students about developmental education options for improving their communication or computation skills that are essential to performing college-level work, including tutoring, extended time in gateway courses, free online courses, adult basic education, adult secondary education, or private provider instruction.

Section 20. Subsection (10) of section 1009.98, Florida Statutes, is amended to read:

1009.98 Stanley G. Tate Florida Prepaid College Program.—

(10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

(a) As used in this subsection, the term:

1. "Actuarial reserve" means the amount by which the expected value of the assets ~~exceeds~~ ~~exceed~~ the expected value of the liabilities of the trust fund.

2. "Dormitory fees" means the fees included under advance payment contracts pursuant to paragraph (2)(d).

3. "Fiscal year" means the fiscal year of the state pursuant to s. 215.01.

4. "Local fees" means the fees covered by an advance payment contract provided pursuant to subparagraph (2)(b)2.

5. "Tuition differential" means the fee covered by advance payment contracts sold pursuant to subparagraph (2)(b)3. The base rate for the tuition differential fee for the 2012-2013 fiscal year is established at \$37.03 per credit hour. The base rate for the tuition differential in subsequent years is the amount assessed ~~paid by the board~~ for the tuition differential for the preceding year adjusted pursuant to subparagraph (b)2.

(b) Effective with the 2009-2010 academic year and thereafter, and notwithstanding the provisions of s. 1009.24, the amount paid by the board to any state university on behalf of a qualified beneficiary of an advance payment contract whose contract was purchased before July 1, 2024 ~~2009~~, shall be:

1. As to registration fees, if the actuarial reserve is less than 5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 5.5 percent above the amount assessed for registration fees in the preceding fiscal year. If the actuarial reserve is between 5 percent and 6 percent of the expected liabilities of the trust fund, the board shall pay the state universities 6 percent above the amount assessed for registration fees in the preceding fiscal year. If the actuarial reserve is between 6 percent and 7.5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 6.5 percent above the amount assessed for registration fees in the preceding fiscal year. If the actuarial reserve is equal to or greater than 7.5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 7 percent above the amount assessed for registration fees in the preceding fiscal year, whichever is greater.

2. As to the tuition differential, if the actuarial reserve is less than 5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 5.5 percent above the base rate for the tuition differential fee in the preceding fiscal year. If the actuarial reserve is between 5 percent and 6 percent of the expected liabilities of the trust fund, the board shall pay the state universities 6 percent above the base rate for the tuition differential fee in the preceding fiscal year. If the actuarial reserve is between 6 percent and 7.5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 6.5 percent above the base rate for the tuition differential fee in the preceding fiscal year. If the actuarial reserve is equal to or greater than 7.5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 7 percent above the base rate for the tuition differential fee in the preceding fiscal year.

3. As to local fees, the board shall pay the state universities 5 percent above the amount assessed for local fees in the preceding fiscal year.

4. As to dormitory fees, the board shall pay the state universities 6 percent above the amount assessed for dormitory fees in the preceding fiscal year.

5. Qualified beneficiaries of advance payment contracts purchased before July 1, 2007, are exempt from paying any tuition differential fee.

(c) *Notwithstanding the amount assessed for registration fees, the tuition differential fee, or local fees, the amount paid by the board to any state university on behalf of a qualified beneficiary of an advance payment contract purchased before July 1, 2024, may not exceed 100 percent of the amount charged by the state university for the aggregate sum of those fees.*

(d) *Notwithstanding the amount assessed for dormitory fees, the amount paid by the board to any state university on behalf of a qualified beneficiary of an advance payment contract purchased before July 1, 2024, may not exceed 100 percent of the amount charged by the state university for dormitory fees.*

(e) The board shall pay state universities the actual amount assessed in accordance with law for registration fees, the tuition differ-

ential, local fees, and dormitory fees for advance payment contracts purchased on or after July 1, 2024 ~~2009~~.

(f) The board shall annually evaluate or cause to be evaluated the actuarial soundness of the trust fund.

Section 21. In order to implement Specific Appropriations 9 and 96 of the 2014-2015, General Appropriations Act, paragraph (f) of subsection (1) and paragraphs (a) and (c) of subsection (9) of section 1011.62, Florida Statutes, are amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(f) Supplemental academic instruction; categorical fund.—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the "Supplemental Academic Instruction Categorical Fund."

2. Categorical funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds ~~are shall be~~ in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. For the ~~2012-2013, 2013-2014, and~~ 2014-2015 fiscal year years, each school district that has one or more of the ~~300~~ 100 lowest-performing elementary schools based on the state reading assessment shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided only by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers ~~are shall not be~~ included in the ~~300~~ 100 schools. After this requirement has been met, supplemental instruction strategies may include, ~~but are not limited to:~~ modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, class size reduction, extended school year, intensive skills development in summer school, and other methods for improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. ~~Effective with the 1999-2000 fiscal year,~~ Funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

5. ~~Beginning in the 1999-2000 school year,~~ Dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. For the ~~2012-2013, 2013-2014, and~~ 2014-2015 fiscal year years, in each school district that has one or more of the 300 ~~100~~ lowest-performing elementary schools based on the state reading assessment, priority shall be given to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in each school. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers ~~are~~ shall not be included in the 300 ~~100~~ schools. The intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on student assessment data to meet students' specific reading needs; explicit and systematic reading development in phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading. For the 2012-2013 and 2013-2014 fiscal years, a school district may not hire more reading coaches than were hired during the 2011-2012 fiscal year unless all students in kindergarten through grade 5 who demonstrate a reading deficiency, as determined by district and state assessments, including students scoring Level 1 or Level 2 on FCAT Reading, are provided an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year.

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs, which may include the following:

1. The provision of an additional hour per day of intensive reading instruction to students in the 300 ~~100~~ lowest-performing elementary schools by teachers and reading specialists who are effective in teaching reading.
2. Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency.
3. The provision of highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.
4. Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text.
5. The provision of summer reading camps for all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on FCAT Reading.
6. The provision of supplemental instructional materials that are grounded in scientifically based reading research.
7. The provision of intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the FCAT.

Section 22. *A student may not take a district-developed assessment, a district-selected assessment, or a district-mandated assessment within the 2 weeks before or the 2 weeks after taking a statewide, standardized assessment. However, a student may, within the 2 weeks before or the 2 weeks after taking a statewide, standardized assessment:*

(1) *Take a college entrance examination, an Advanced Placement examination, an International Baccalaureate examination, an Advanced International Certificate of Education examination, or an industry-approved examination to earn national industry certifications identified in the Industry Certification Funding List; or*

(2) *Retake a statewide, standardized assessment.*

Section 23. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law and shall apply retroactively to March 31, 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 education; amending s. 215.61, F.S.; requiring deposit of a certain amount of funds into a separate account within the Public Education Capital Outlay and Debt Service Trust Fund; requiring transfer of such funds to the State Board of Administration for the timely payment of principal and interest on bonds; requiring the State Board of Education to transfer a specified amount of funds into a separate account within the Public Education Capital Outlay and Debt Service Trust Fund for the payment of debt service on certain bonds; amending s. 1001.03, F.S.; prohibiting the State Board of Education from approving proposals for baccalaureate degree programs at Florida College System institutions during a specified period; amending s. 1007.33, F.S.; prohibiting the Board of Trustees of the St. Petersburg College from establishing new baccalaureate degree programs during a specified period; amending s. 1009.22, F.S.; deleting a provision relating to the automatic rate of inflation increase in tuition and out-of-state fee per contact hour for workforce education programs; deleting a requirement that the Office of Economic and Demographic Research annually report the rate of inflation to the Governor, the Legislature, and the State Board of Education; deleting the definition of the term "rate of inflation"; amending s. 1009.23, F.S.; deleting a provision relating to the automatic rate of inflation increase in tuition and out-of-state fees at Florida College System institutions; deleting a requirement that the Office of Economic and Demographic Research annually report the rate of inflation to the Governor, the Legislature, and the State Board of Education; deleting the definition of the term "rate of inflation"; amending s. 1009.24, F.S.; deleting a provision relating to the automatic rate of inflation increase in resident undergraduate tuition per credit hour at state universities; deleting a requirement that the Office of Economic and Demographic Research annually report the rate of inflation to the Governor, the Legislature, and the Board of Governors; deleting the definition of the term "rate of inflation"; revising the annual percentage increase allowed in the aggregate sum of tuition and the tuition differential at state universities; amending s. 1009.55, F.S.; increasing the annual maximum number of scholarships that may be awarded in the Rosewood Family Scholarship Program; increasing the annual maximum award amount per student; creating s. 1009.893, F.S.; creating the Florida National Merit Scholar Incentive Program; defining terms; providing the purpose of the incentive program; requiring the Department of Education to administer the incentive program, advertise the availability of the incentive program, and notify students, teachers, parents, and school administrators about the incentive program's criteria and application procedures; providing eligibility requirements for the incentive program; requiring certain students who are National Merit Scholars or National Achievement Scholars to receive certain incentive awards; providing eligibility requirements to renew an award; authorizing a student to receive an incentive award for certain maximum percentage amounts of the number of credit hours required to complete an associate degree, a baccalaureate degree, or a career certificate; requiring the department to issue awards from the incentive program and to transmit payment for each award; authorizing the department to withhold payment under certain circumstances; requiring institutions to certify to the department the eligibility status of each student to receive a disbursement of an award during a specified time; requiring the institution to certify to the department the disbursement amounts to each student and remit to the department undisbursed funds; providing for proration of funds; prohibiting use of funds for remedial coursework or developmental education; authorizing a student to use funds during the summer term under certain circumstances; authorizing incentive program funds appropriated by the Legislature to be deposited in the State Student Financial Assistance Trust Fund; providing for use of any remaining balance of appropriated funds in the trust fund; requiring the department to allocate funds to appropriate institutions and collect and maintain certain data regarding the incentive program; requiring the State Board of Education to adopt rules; providing for retroactive application; creating s. 1002.385, F.S.; establishing the Florida Personal Learning Scholarship Accounts; defining terms; specifying criteria for students who are eligible to participate in the program; identifying certain students who are not eligible to participate in the program; authorizing the use of awarded funds for specific purposes; prohibiting specific providers, schools, institutions,

school districts, and other entities from sharing, refunding, or rebating program funds; specifying the terms of the program; providing that the school district retains all duties, authority, and responsibilities specified in the Florida K-20 Education Code; specifying the duties of the Department of Education relating to the program; providing that the Commissioner of Education retains all current duties, authority, and responsibilities as specified in the Florida K-20 Education Code; requiring the executive director of the Agency for Persons with Disabilities to deny, suspend, or revoke participation in the program or use of program funds under certain circumstances; providing additional factors under which the executive director may deny, suspend, or revoke a participation in the program or program funds; requiring a parent to sign an agreement with the Agency for Persons with Disabilities to enroll his or her child in the program which specifies the responsibilities of a parent or student for using funds in a personal learning scholarship account and for submitting a compliance statement to the agency; providing that a parent who fails to comply with the responsibilities of the agreement forfeits the personal learning scholarship account; providing eligibility requirements and obligations for private schools under the program; specifying agency obligations under the program; authorizing the agency to contract for services; providing for funding and payment; providing the Auditor General's obligations under the program; providing that the state is not liable for the use of awarded funds; providing for the scope of authority; requiring the agency to adopt rules; providing for implementation of the program in a specified school year; providing an appropriation; amending s. 1003.4282, F.S.; providing standard high school diploma requirements for certain students with disabilities; authorizing certain students with disabilities to continue to receive certain instructions and services; requiring an independent review and a parent's approval to waive statewide, standardized assessment requirements by the individual education plan (IEP) team; repealing s. 1003.438, F.S., relating to special high school graduation requirements for certain exceptional students; creating s. 1003.5716, F.S.; providing that certain students with disabilities have a right to free, appropriate public education; requiring an IEP team to begin the process of, and to develop an IEP for, identifying transition services needs for a student with a disability before the student attains a specified age; providing requirements for the process; requiring certain statements to be included and annually updated in the IEP; providing that changes in the goals specified in an IEP are subject to independent review and parental approval; requiring the school district to reconvene the IEP team to identify alternative strategies to meet transition objectives if a participating agency fails to provide transition services specified in the IEP; providing that the agency's failure does not relieve the agency of the responsibility to provide or pay for the transition services that the agency otherwise would have provided; amending s. 1003.572, F.S.; prohibiting a school district from imposing additional requirements on private instructional personnel or charging fees; creating s. 1008.2121, F.S.; requiring the Commissioner of Education to permanently exempt certain students with disabilities from taking statewide, standardized assessments; requiring the State Board of Education to adopt rules; amending s. 1008.25, F.S.; requiring written notification relating to portfolios to a parent of a student with a substantial reading deficiency; requiring a student promoted to a certain grade with a good cause exemption to receive intensive reading instruction and intervention; requiring a school district to assist schools and teachers with the implementation of reading strategies; revising good cause exemptions; amending ss. 120.81, 409.1451, and 1007.263, F.S.; conforming cross-references; amending s. 1009.98, F.S.; redefining the term "tuition differential"; revising the purchase date of an advance payment contract as it relates to the amount paid by the Florida Prepaid College Board to a state university on behalf of a qualified beneficiary; prohibiting the amount of the aggregate sum of registration fees, the tuition differential fee, and local fees paid by the board to a state university on behalf of a qualified beneficiary of an advance payment contract from exceeding a certain percentage of the amount charged by the state university for the aggregate sum of those fees; prohibiting the amount of the dormitory fees paid for by the board to a state university on behalf of a qualified beneficiary of an advance payment contract from exceeding a certain percentage of the amount charged by the state university for those fees; conforming provisions to changes made by the act; amending s. 1011.62, F.S.; increasing the number of schools eligible for categorical funding for supplemental academic instruction and for the research-based reading instruction allocation; prohibiting a student from taking certain local assessments during a specified time; providing exceptions for certain examinations; providing effective dates.

On motion by Senator Galvano, by two-thirds vote **HB 5101** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Bradley

MOTION

On motion by Senator Negron, the Senate having refused to pass **HB 5101** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Thrasher, by two-thirds vote **HB 5101** was ordered immediately certified to the House.

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 HB 5301 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

By Justice Appropriations Subcommittee and Representative(s) McBurney—

HB 5301—A bill to be entitled An act relating to additional judgeships; amending s. 26.031, F.S.; adding judges to certain judicial circuits; amending s. 34.022, F.S.; adding judges to certain county courts; amending s. 35.06, F.S.; adding judges to certain district courts of appeal; providing an effective date.

—was referred to the Committee on Appropriations.

On motion by Senator Negron, by two-thirds vote **HB 5301** was withdrawn from the Committee on Appropriations.

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

HB 5301—A bill to be entitled An act relating to additional judgeships; amending s. 26.031, F.S.; adding judges to certain judicial circuits; amending s. 34.022, F.S.; adding judges to certain county courts; amending s. 35.06, F.S.; adding judges to certain district courts of appeal; providing an effective date.

—was read the second time by title.

Senator Negron moved the following amendment which was adopted:

Amendment 1 (240200) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motion by Senator Negron, by two-thirds vote **HB 5301** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Hays

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 5403 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

By Government Operations Appropriations Subcommittee and Representative(s) Ingram—

HB 5403—A bill to be entitled An act relating to surplus lines tax revenue; repealing s. 9, chapter 2009-70, Laws of Florida, relating to the scheduled reversion of statutory provisions related to the distribution of surplus lines taxes and interest; reenacting ss. 626.932(5) and 626.938(7), F.S., relating to the deposit of surplus lines taxes and interest; providing an effective date.

—was referred to the Committee on Appropriations.

On motion by Senator Negron, by two-thirds vote **HB 5403** was withdrawn from the Committee on Appropriations.

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

HB 5403—A bill to be entitled An act relating to surplus lines tax revenue; repealing s. 9, chapter 2009-70, Laws of Florida, relating to the scheduled reversion of statutory provisions related to the distribution of surplus lines taxes and interest; reenacting ss. 626.932(5) and 626.938(7), F.S., relating to the deposit of surplus lines taxes and interest; providing an effective date.

—was read the second time by title.

Senator Negron moved the following amendment which was adopted:

Amendment 1 (260568) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motion by Senator Negron, by two-thirds vote **HB 5403** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed HB 5203 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

By Health Care Appropriations Subcommittee and Representative(s) Hudson, Young—

HB 5203—A bill to be entitled An act relating to cancer centers; amending s. 20.435, F.S.; authorizing funds in the Biomedical Research Trust Fund to be used for the Florida Consortium of National Cancer Institute Centers Program; amending ss. 210.20 and 215.5602, F.S.; revising the distribution of certain funds deposited into the Biomedical Research Trust Fund; creating s. 381.915, F.S.; providing a short title; establishing the Florida Consortium of National Cancer Institute Centers Program; providing purpose; requiring the Department of Health to distribute funding to certain cancer centers; providing a formula for determination of allocations; providing definitions; providing criteria for designation of tiers for cancer centers; requiring reports; providing that funding is subject to annual appropriation; providing rulemaking authority; providing an effective date.

—was referred to the Committee on Appropriations.

On motion by Senator Negron, by two-thirds vote **HB 5203** was withdrawn from the Committee on Appropriations.

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

HB 5203—A bill to be entitled An act relating to cancer centers; amending s. 20.435, F.S.; authorizing funds in the Biomedical Research Trust Fund to be used for the Florida Consortium of National Cancer Institute Centers Program; amending ss. 210.20 and 215.5602, F.S.; revising the distribution of certain funds deposited into the Biomedical Research Trust Fund; creating s. 381.915, F.S.; providing a short title; establishing the Florida Consortium of National Cancer Institute Centers Program; providing purpose; requiring the Department of Health to distribute funding to certain cancer centers; providing a formula for determination of allocations; providing definitions; providing criteria for designation of tiers for cancer centers; requiring reports; providing that funding is subject to annual appropriation; providing rulemaking authority; providing an effective date.

—was read the second time by title.

Senator Negron moved the following amendment which was adopted:

Amendment 1 (121326) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motion by Senator Negron, by two-thirds vote **HB 5203** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **HB 5001**, **HB 5003**, **HB 5201**, and **HB 5203** which come before the Senate for a vote on April 3, 2014.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed **HB 5501** and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

By Agriculture and Natural Resources Appropriations Subcommittee and Representative(s) Albritton—

HB 5501—A bill to be entitled An act relating to documentary stamp tax distributions; amending s. 201.15, F.S.; revising provisions for the payment of debt service and other amounts payable with respect to specified bonds; providing an effective date.

—was referred to the Committee on Appropriations.

On motion by Senator Negron, by two-thirds vote **HB 5501** was withdrawn from the Committee on Appropriations.

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

HB 5501—A bill to be entitled An act relating to documentary stamp tax distributions; amending s. 201.15, F.S.; revising provisions for the payment of debt service and other amounts payable with respect to specified bonds; providing an effective date.

—was read the second time by title.

Senator Negron moved the following amendment which was adopted:

Amendment 1 (922570) (with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motion by Senator Negron, by two-thirds vote **HB 5501** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

MOTION

On motion by Senator Negron, the Senate having refused to pass **HB 5301**, **HB 5403**, **HB 5203**, and **HB 5501** as passed by the House, acceded to the request for a conference committee.

On motion by Senator Thrasher, by two-thirds vote **HB 5301**, **HB 5403**, **HB 5203**, and **HB 5501** were immediately certified to the House.

CONFEREES APPOINTED

The President appointed the following conferees for **HB 5001**, **HB 5003**, **HB 5007**, **HB 5005**, **HB 5303**, **SB 2510**, **SB 2514**, **HB 5101**, **HB 5301**, **HB 5403**, **HB 5203**, and **HB 5501**: Appropriations Conference Committee: Senator Negron, Chair; Senator Benacquisto, Vice Chair; Senators Gardiner, Joyner, Margolis, Richter, Smith, and Thrasher, Members at large; Appropriations Conference Committee on Criminal and Civil Justice: Senator Bradley, Chair; Senators Altman, Clemens, Diaz de la Portilla, Evers, and Joyner; Appropriations Conference Committee on Education: Senator Galvano, Chair; Senators Abruzzo, Bullard, Detert, Legg, Montford, Sachs, Simmons, and Thrasher; Appropriations Conference Committee on General Government: Senator Hays, Chair; Senators Brandes, Braynon, Dean, Simpson, Soto, and Stargel; Appropriations Conference Committee on Health and Human Services: Senator Grimsley, Chair; Senators Bean, Flores, Garcia, Gibson, and Sobel; Appropriations Conference Committee on Transportation, Tourism, and Economic Development: Senator Gardiner, Chair; Senators Hukill, Latvala, Lee, Margolis, Ring, and Thompson.

The action of the Senate was certified to the House.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

CS for SB 260—A bill to be entitled An act relating to unaccompanied homeless youths; amending s. 743.067, F.S.; defining the term "unaccompanied homeless youth"; providing for a certification; authorizing certain unaccompanied homeless youths to consent to medical, dental, psychological, substance abuse, and surgical diagnosis and treatment, and forensic medical examinations for themselves and for their children in certain circumstances; providing that such consent does not affect the requirements of the Parental Notice of Abortion Act; providing an effective date.

—as amended March 26 was read the third time by title.

On motion by Senator Latvala, **CS for SB 260** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SPECIAL ORDER CALENDAR

On motion by Senator Hukill—

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 second time by title.

Pursuant to Rule 4.19, **SB 1676** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

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 second time by title.

Pursuant to Rule 4.19, **SB 520** was placed on the calendar of Bills on Third Reading.

On motion by Senator Simpson—

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 Department of Agriculture and Consumer Services and the water management districts 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.

—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 Simpson moved the following amendment which was adopted:

Amendment 1 (651544) (with title amendment)—Delete lines 21-22 and insert:
coordination with the stakeholders, shall conduct

And the title is amended as follows:

Delete lines 4-6 and insert: study in coordination with the stakeholders on the expansion of the

Pursuant to Rule 4.19, **CS for CS for SB 536** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **SB 592** was deferred.

On motion by Senator Detert—

SB 856—A bill to be entitled An act relating to the Uniform Fraudulent Transfer Act; 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.

—was read the second time by title.

Senator Simmons moved the following amendment which was adopted:

Amendment 1 (831798) (with title amendment)—Between lines 9 and 10 insert:

Section 1. Subsections (1) and (5), paragraph (b) of subsection (6), and subsection (9) of section 56.29, Florida Statutes, are amended to read:

56.29 Proceedings supplementary.—

(1) When any person or entity holds an unsatisfied judgment or judgment lien obtained under chapter 55, the judgment holder or judgment lienholder may file a *motion and* an affidavit so stating, identifying, if applicable, the issuing court, the case number, and the unsatisfied amount of the judgment or judgment lien, including accrued costs and interest, and stating that the execution is valid and outstanding, and thereupon the judgment holder or judgment lienholder is entitled to these proceedings supplementary to execution.

(5) The *court judge* may order any property of the judgment debtor, not exempt from execution, in the hands of any person, or *any property, debt, or other obligation* due to the judgment debtor, to be applied toward the satisfaction of the judgment debt. *The court may entertain claims concerning the judgment debtor's assets brought under chapter 726 and enter any order or judgment, including a money judgment against any initial or subsequent transferee, in connection therewith, irrespective of whether the transferee has retained the property. Claims under chapter 726 are subject to the provisions of chapter 726 and applicable rules of civil procedure.*

(6)

(b) When any gift, transfer, assignment or other conveyance of personal property has been made or contrived by *the judgment debtor defendant* to delay, hinder or defraud creditors, the court shall order the gift, transfer, assignment or other conveyance to be void and direct the sheriff to take the property to satisfy the execution. This does not authorize seizure of property exempted from levy and sale under execution or property which has passed to a bona fide purchaser for value and without notice. Any person aggrieved by the levy may proceed under ss. 56.16-56.20.

(9) The court may enter any orders, *judgments, or writs* required to carry out the purpose of this section, *including those orders necessary or proper* to subject property or property rights of any *judgment debtor defendant* to execution, *and including entry of money judgments against any impleaded defendant irrespective of whether such defendant has retained the property, subject to ss. 56.18 and 56.19 and applicable principles of equity, and in accordance with chapters 76 and 77 and applicable rules of civil procedure.*

Section 2. *The amendments made by this act to s. 56.29, Florida Statutes, are remedial in nature, are intended to clarify existing law, and shall be applied retroactively to the full extent permitted by law.*

And the title is amended as follows:

Delete lines 2-3 and insert: 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

Pursuant to Rule 4.19, **SB 856** 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 SB 1036—A bill to be entitled An act relating to nursing education programs; amending s. 464.003, F.S.; revising definitions; amending s. 464.013, 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; 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.

—was read the second time by title.

Senator Latvala moved the following amendment:

Amendment 1 (343362) (with title amendment)—Between lines 46 and 47 insert:

Section 2. Section 464.008, Florida Statutes, is amended to read:

464.008 Licensure by examination.—

(1) Any person desiring to be licensed as a registered nurse or licensed practical nurse shall apply to the department to take the licensure examination. The department shall examine each applicant who meets all of the following requirements:

(a) ~~Completes~~ ~~Has completed~~ the application form and ~~remits an application fee of up to \$150 as set by the board not to exceed \$150 and has remitted an examination fee of up to \$75 as set by the board, not to exceed \$75 plus the actual per applicant cost to the department for purchase of the examination from the National Council of State Boards of Nursing or a similar national organization.~~

(b) ~~Provides a set of fingerprints to~~ ~~Has provided sufficient information on or after October 1, 1989, which must~~ be submitted by the department for a statewide criminal records correspondence check through the Department of Law Enforcement;

(c) Is in good mental and physical health;

(d) Is a recipient of a high school diploma or the equivalent, ~~and~~

(e) ~~Completes, within 1 year before taking the examination, Has completed~~ the requirements for:

1. Graduation from an approved program;
2. Graduation from a prelicensure nursing education program that the board determines is equivalent to an approved program;
3. Graduation on or after July 1, 2009, from an accredited program; or

4. Graduation before July 1, 2009, from a prelicensure nursing education program whose graduates at that time were eligible for examination.

Courses successfully completed in a professional nursing education program ~~which that~~ are at least equivalent to a practical nursing education program may be used to satisfy the education requirements for licensure as a licensed practical nurse.

(~~f~~) ~~(d)~~ Has the ability to communicate in the English language, which may be determined by an examination given by the department.

(2) Each applicant who passes the examination and provides proof of meeting the educational requirements specified in subsection (1) shall, unless denied pursuant to s. 464.018, be entitled to licensure as a registered professional nurse or a licensed practical nurse, ~~as whichever is applicable.~~

(3) ~~An Any~~ applicant who fails the examination three consecutive times, regardless of the jurisdiction in which the examination is taken, ~~must shall be required to~~ complete a board-approved remedial course before the applicant ~~may will~~ be approved for reexamination. After taking the remedial course, the applicant may be approved to retake the examination up to three additional times before the applicant is required to retake remediation. The applicant shall apply for reexamination within 6 months after completion of remediation. The board shall by rule establish guidelines for remedial courses.

(4) ~~A person who applies to take the licensure examination more than 1 year after satisfying the educational requirements specified in subsection (1) must complete a licensure examination preparatory course approved by the board before being approved for examination.~~

Section 3. Subsections (3) and (4) of section 464.015, Florida Statutes, are amended to read:

464.015 Titles and abbreviations; restrictions; penalty.—

(3) Only persons who are graduates of prelicensure nursing education programs listed in s. 464.008(1)(e) ~~s. 464.008(1)(e)~~ may use the term "Graduate Nurse" and the abbreviation "G.N.," pending the results of the first licensure examination for which they are eligible.

(4) Only persons who are graduates of prelicensure nursing education programs listed in s. 464.008(1)(e) ~~s. 464.008(1)(e)~~ may use the term "Graduate Practical Nurse" and the abbreviation "G.P.N.," pending the results of the first licensure examination for which they are eligible.

Section 4. Subsection (4) of section 464.022, Florida Statutes, is amended to read:

464.022 Exceptions.—No provision of this part shall be construed to prohibit:

(4) The practice of nursing by graduates of prelicensure nursing education programs listed in s. 464.008(1)(e) ~~s. 464.008(1)(e)~~, pending the result of the first licensing examination for which they are eligible following graduation, ~~if provided~~ they practice under direct supervision of a registered professional nurse. The board shall by rule define what constitutes direct supervision.

And the title is amended as follows:

Between lines 3 and 4 insert: 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;

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

Senator Latvala moved the following substitute amendment which was adopted:

Amendment 2 (758716) (with title amendment)—Between lines 46 and 47 insert:

Section 2. Section 464.008, Florida Statutes, is amended to read:

464.008 Licensure by examination.—

(1) Any person desiring to be licensed as a registered nurse or licensed practical nurse shall apply to the department to take the licensure examination. The department shall examine each applicant who meets all of the following requirements:

(a) ~~Completes~~ ~~Has completed~~ the application form and ~~remits an application fee of up to \$150 as set by the board not to exceed \$150 and has remitted an examination fee of up to \$75 as set by the board, not to exceed \$75 plus the actual per applicant cost to the department for purchase of the examination from the National Council of State Boards of Nursing or a similar national organization.~~

(b) ~~Provides a set of fingerprints to~~ ~~Has provided sufficient information on or after October 1, 1989, which must~~ be submitted by the department for a statewide criminal records correspondence check through the Department of Law Enforcement.

(c) Is in good mental and physical health;

(d) Is a recipient of a high school diploma or the equivalent; ~~and~~

(e) ~~Completes~~ ~~Has completed~~ the requirements for:

1. Graduation from an approved program;
2. Graduation from a prelicensure nursing education program that the board determines is equivalent to an approved program;
3. Graduation on or after July 1, 2009, from an accredited program; or
4. Graduation before July 1, 2009, from a prelicensure nursing education program whose graduates at that time were eligible for examination.

Courses successfully completed in a professional nursing education program ~~which~~ ~~that~~ are at least equivalent to a practical nursing education program may be used to satisfy the education requirements for licensure as a licensed practical nurse.

~~(f)(4)~~ Has the ability to communicate in the English language, which may be determined by an examination given by the department.

(2) *A person who applies to take the licensure examination more than 1 year after satisfying the educational requirements specified in subsection (1) must complete a licensure examination preparatory course approved by the board before being approved for examination.*

~~(3)(2)~~ Each applicant who passes the examination and provides proof of meeting the educational requirements specified in subsection (1) shall, unless denied pursuant to s. 464.018, be entitled to licensure as a registered professional nurse or a licensed practical nurse, ~~as whichever is~~ applicable.

~~(4)(3)~~ ~~An~~ ~~Any~~ applicant who fails the examination three consecutive times, regardless of the jurisdiction in which the examination is taken, ~~must shall be required to~~ complete a board-approved remedial course before the applicant ~~will~~ be approved for reexamination. After taking the remedial course, the applicant may be approved to retake the examination up to three additional times before the applicant is required to retake remediation. The applicant shall apply for reexamination within 6 months after completion of remediation. The board shall by rule establish guidelines for remedial courses.

Section 3. Subsections (3) and (4) of section 464.015, Florida Statutes, are amended to read:

464.015 Titles and abbreviations; restrictions; penalty.—

(3) Only persons who are graduates of prelicensure nursing education programs listed in s. 464.008(1)(e) ~~s. 464.008(1)(e)~~ may use the term “Graduate Nurse” and the abbreviation “G.N.,” pending the results of the first licensure examination for which they are eligible.

(4) Only persons who are graduates of prelicensure nursing education programs listed in s. 464.008(1)(e) ~~s. 464.008(1)(e)~~ may use the term “Graduate Practical Nurse” and the abbreviation “G.P.N.,” pending the results of the first licensure examination for which they are eligible.

Section 4. Subsection (4) of section 464.022, Florida Statutes, is amended to read:

464.022 Exceptions.—No provision of this part shall be construed to prohibit:

(4) The practice of nursing by graduates of prelicensure nursing education programs listed in s. 464.008(1)(e) ~~s. 464.008(1)(e)~~, pending the result of the first licensing examination for which they are eligible following graduation, ~~if provided~~ they practice under direct supervision of a registered professional nurse. The board shall by rule define what constitutes direct supervision.

And the title is amended as follows:

Between lines 3 and 4 insert: 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;

Senator Grimsley moved the following amendment which was adopted:

Amendment 3 (914340) (with title amendment)—Between lines 312 and 313 insert:

(d) If students from a program that has been terminated pursuant to this subsection transfer to an approved or an accredited program under the direction of the Commission for Independent Education, the board shall recalculate the passage rates of the programs receiving the transferring students, excluding the test scores of those students transferring more than 12 credits.

And the title is amended as follows:

Delete line 10 and insert: obsolete requirements; providing for the recalculation of pass rates when students have been transferred from a terminated program; authorizing the Board of

Pursuant to Rule 4.19, **CS for CS for SB 1036** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Evers—

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 second time by title.

Pursuant to Rule 4.19, **SB 1636** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 570—A bill to be entitled An act relating to title insurance; amending s. 625.041, F.S.; specifying that a title insurer is liable for all of its unpaid losses and claims; amending s. 625.111, F.S.; revising and specifying the reserves certain title insurers must set aside; specifying how such reserves will be released; specifying which state law governs the amount of the reserve when a title insurer transfers its domicile to this state; defining “bulk reserve”; 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 insurance 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 that 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 effective dates.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 570** to **CS for CS for HB 321**.

Pending further consideration of **CS for CS for SB 570** as amended, on motion by Senator Galvano, by two-thirds vote **CS for CS for HB 321** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Commerce and Tourism.

On motion by Senator Galvano—

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.

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

Pursuant to Rule 4.19, **CS for CS for HB 321** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

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 second time by title.

Pursuant to Rule 4.19, **SB 490** was placed on the calendar of Bills on Third Reading.

On motion by Senator Clemens—

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; making an appropriation; providing an effective date.

—was read the second time by title.

SENATOR RICHTER PRESIDING

Senator Clemens moved the following amendment which was adopted:

Amendment 1 (563408) (with title amendment)—Delete lines 71-77 and insert:

Section 2. *For the 2014-2015 fiscal year, the sums of \$54,908 in recurring funds and \$8,773 in nonrecurring funds are appropriated from the General Inspection Trust Fund to the Department of Agriculture and Consumer Services, and one full-time equivalent position with associated salary rate of 32,386 is authorized, for the purpose of implementing this act.*

And the title is amended as follows:

Delete line 10 and insert: the telephone solicitor; providing appropriations and authorizing positions;

Pursuant to Rule 4.19, **CS for CS for SB 450** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Hays—

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 second time by title.

Pursuant to Rule 4.19, **CS for SB 864** was placed on the calendar of Bills on Third Reading.

On motion by Senator 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 second time by title.

Pursuant to Rule 4.19, **CS for SB 1194** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1664** was deferred.

On motion by Senator Simpson—

CS for SB 1450—A bill to be entitled An act relating to homeowners' association meetings; amending ss. 720.303 and 720.306, F.S.; requiring meetings to be held at locations accessible to physically handicapped persons; providing an effective date.

—was read the second time by title.

Senator Simpson moved the following amendments which were adopted:

Amendment 1 (367058) (with title amendment)—Delete lines 22-23 and insert:

the attorney-client privilege. A meeting of the board must be held at a location that is accessible to a physically handicapped person if requested by a physically handicapped person who has a right to attend the meeting. The

And the title is amended as follows:

Delete lines 3-5 and insert: 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; providing an effective

Amendment 2 (944198) (with title amendment)—Delete lines 44-45 and insert:

A meeting of the members must be held at a location that is accessible to a physically handicapped person if requested by a physically handicapped person who has a right to attend the meeting.

And the title is amended as follows:

Delete lines 3-5 and insert: amending s. 720.303, F.S.; requiring a board meeting to be held at a location accessible to physically handicapped 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

Pursuant to Rule 4.19, **CS for SB 1450** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Legg—

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; requiring the Commissioner of Education to exempt students from taking statewide, standardized assessments under certain circumstances; authorizing a parent to request that a student who is granted an exemption participate in statewide, standardized assessments; requiring the State Board of Education to adopt rules; providing an effective date.

—was read the second time by title.

Senator Legg moved the following amendment:

Amendment 1 (287974)—Delete lines 173-241 and insert:

i. For schools comprised of middle grades 6 through 8 or grades 7 and 8, the percentage of eligible students passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the Industry Certification Funding List pursuant to rules adopted by the State Board of Education.

In calculating Learning Gains for the components listed in sub-subparagraphs e.-h., the State Board of Education shall require that learning growth toward achievement levels 3, 4, and 5 is demonstrated by students who scored below each of those levels in the prior year.

~~2. Beginning with the 2011-2012 school year, for schools comprised of middle grades 6 through 8 or grades 7 and 8, the school's grade shall include the performance and participation of its students enrolled in high school level courses with statewide, standardized assessments administered under s. 1008.22. Performance and participation must be weighted equally. As valid data becomes available, the school grades shall include the students' attainment of national industry certification identified in the Industry Certification Funding List pursuant to rules adopted by the state board.~~

~~2.3. Beginning with the 2009-2010 school year For a school schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the school's grade at least 50 percent of the school grade shall also be based on a combination of the factors listed in sub-subparagraphs 1.a.-c. and the remaining percentage on the following components, each worth 100 points factors:~~

~~a. The 4-year high school graduation rate of the school as defined by state board rule.;~~

~~b. The percentage of students who were eligible to earn college and career credit through As valid data becomes available, the performance and participation of the school's students in College Board Advanced Placement examinations courses, International Baccalaureate examinations courses, dual enrollment courses, or and Advanced International Certificate of Education examinations courses; or who, at any time during high school, earned and the students' achievement of na-~~

tional industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the state board.;

(c)1. The calculation of a school grade shall be based on the percentage of points earned from the components listed in subparagraph (b)1. and, if applicable, subparagraph (b)2. The State Board of Education shall adopt in rule a school grading scale that sets the percentage of points needed to earn each of the school grades listed in subsection (2). There shall be at least five percentage points separating the percentage thresholds needed to earn each of the school grades. The state board shall periodically review the school grading scale to determine if the scale should be adjusted upward to meet raised expectations and encourage increased student performance. If the state board adjusts the grading scale upward, the state board must inform the public and the school districts of the reasons for and degree of the adjustment and its anticipated impact on school grades.

Senator Montford moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (141750)—Delete line 16 and insert:
in the prior year. In calculating the components in sub-subparagraphs a.-d., the state board shall include the performance of English language learners only if they have been enrolled in a school in the United States for more than 2 years.

Amendment 1 (287974) as amended was adopted.

Senator Legg moved the following amendment which was adopted:

Amendment 2 (129464)— Delete lines 406-418 and insert:
receive a grade. The department shall develop a district report card that includes the district grade; the information required under s. 1008.345(5); measures of the district's progress in closing the achievement gap between higher-performing student subgroups and lower-performing student subgroups; measures of the district's progress in demonstrating Learning Gains of its highest-performing students; measures of the district's success in improving student attendance; the district's grade-level promotion of students scoring achievement levels 1 and 2 on statewide, standardized English Language Arts and mathematics assessments; and measures of the district's performance in preparing students for the transition from elementary to middle school, middle to high school, and high school to postsecondary institutions and careers.

Senator Stargel moved the following amendment:

Amendment 3 (864516) (with title amendment)—Delete lines 832-859 and insert:

Section 9. Present subsections (9) and (10) of section 1008.22, Florida Statutes, are renumbered as subsections (10) and (11), respectively, and a new subsection (9) is added to that section, to read:

1008.22 Student assessment program for public schools.—

(9) CHILD WITH MEDICAL COMPLEXITY.—In addition to the exemption option provided for under s. 1008.212, effective July 1, 2014, a child with a medical complexity may be exempt from participating in statewide, standardized assessments, including the Florida Alternate Assessment (FAA), pursuant to the provisions of this subsection.

(a) Definition of child with medical complexity. A child with a medical complexity means a child who, based upon medical documentation from a physician licensed under chapter 458, is medically fragile and needs intensive care due to a condition such as congenital or acquired multisystem disease; has a severe neurological or cognitive disorder with marked functional impairment; or is technology dependent for activities of daily living; and lacks the capacity to take or perform on an assessment.

(b) Exemption options. If the parent consents in writing, and the IEP team determines that the child should not be assessed based upon medical documentation that the child meets the definition of a child with medical complexity, then the parent may choose one of the following three assessment exemption options.

1. One-year exemption approved by the district school superintendent. If the superintendent is provided written documentation of parental consent and appropriate medical documentation to support the IEP team's determination that the child is a child with medical complexity,

then the superintendent may approve a one-year exemption from all statewide, standardized assessments, including the FAA. The superintendent shall report annually to the district school board and the Commissioner of Education the number of students who are identified as a child with medical complexity who are not participating in the assessment program.

2. One- to three-year exemption approved by the Commissioner of Education. If the commissioner is provided written documentation of parental consent; district school superintendent approval; the IEP team's determination that the child is a child with medical complexity based upon appropriate medical documentation; and all medical documentation, then the commissioner may exempt the child from all statewide, standardized assessments, including the FAA, for up to three years. The State Board of Education shall adopt rules to administer this subparagraph which must expedite the process by which exemptions are reviewed and approved and which demonstrate the utmost compassion and consideration for meeting the parent's and child's needs.

3. Permanent exemption approved by the Commissioner of Education. If the commissioner is provided written documentation of parental consent; district school superintendent approval of a permanent exemption; the IEP team's determination that the child is a child with medical complexity based upon appropriate medical documentation and that a permanent exemption is appropriate; and all medical documentation, then the commissioner may approve a permanent exemption from all statewide, standardized assessments, including the FAA. The State Board of Education shall adopt rules to administer this subparagraph which must expedite the process by which exemptions are reviewed and approved and which demonstrate the utmost compassion and consideration for meeting the parent's and child's needs.

(c) Reporting requirements. The Commissioner of Education shall annually report to the Legislature data, by district, related to the implementation of this subsection at the same time as results are reported regarding student performance on statewide, standardized assessments.

And the title is amended as follows:

Delete lines 25-31 and insert: 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; providing an

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

Senator Stargel moved the following amendment to **Amendment 3** which was adopted:

Amendment 3A (119192)—Delete line 18 and insert: documentation from a physician licensed under chapter 458 or 459 is

Amendment 3 (864516) as amended was adopted.

Senator Montford moved the following amendment which was adopted:

Amendment 4 (602534) (with title amendment)—Between lines 859 and 860 insert:

Section 10. Subsection (5) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(5) The commissioner shall report to the Legislature and recommend changes in state policy necessary to foster school improvement and education accountability. The report shall include:

(a) For each school district:

1. The percentage of students, by school and grade level, demonstrating learning growth in English Language Arts and mathematics.

2. The percentage of students, by school and grade level, in both the highest and lowest quartiles demonstrating learning growth in English Language Arts and mathematics.

(b) Intervention and support strategies used by school boards whose students in both the highest and lowest quartiles exceed the statewide average learning growth for students in those quartiles.

(c) Intervention and support strategies used by school boards whose schools provide educational services to youth in Department of Juvenile Justice programs that demonstrate learning growth in English Language Arts and mathematics that exceeds the statewide average learning growth for students in those subjects. ~~Included in the report shall be a list of the schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, for which district school boards have developed intervention and support strategies and an analysis of the various strategies used by the school boards.~~

School reports shall be distributed pursuant to this subsection and s. 1001.42(18)(b) and according to rules adopted by the State Board of Education.

Section 11. Paragraph (a) of subsection (2) of section 1011.64, Florida Statutes, is amended to read:

1011.64 School district minimum classroom expenditure requirements.—

(2) For the purpose of implementing the provisions of this section, the Legislature shall prescribe minimum academic performance standards and minimum classroom expenditure requirements for districts not meeting such minimum academic performance standards in the General Appropriations Act.

(a) Minimum academic performance standards may be based on, but are not limited to, district grades determined pursuant to s. ~~1008.34~~ ~~1008.34(7)~~.

Section 12. Subsection (6) of section 1008.22, Florida Statutes, is amended to read:

1008.22 Student assessment program for public schools.—

(6) LOCAL ASSESSMENTS.—

(a) Measurement of student ~~performance learning gains~~ in all subjects and grade levels, except those subjects and grade levels measured under the statewide, standardized assessment program described in this section, is the responsibility of the school districts.

(b) ~~Except for those subjects and grade levels measured under the statewide, standardized assessment program, beginning with the 2014-2015 school year, each school district shall administer for each course offered in the district a local student assessment that measures student mastery of course the content, as described in the state-adopted course description, at the necessary level of rigor for the course. As adopted pursuant to State Board of Education rule, course content is set forth in the state standards required by s. 1003.41 and in the course description. Local Such~~ assessments may include:

1. Statewide assessments.
2. Other standardized assessments, including nationally recognized standardized assessments.
3. Industry certification ~~assessments examinations~~.
4. District-developed or district-selected end-of-course assessments.
5. Teacher-selected or principal-selected assessments.

(c) Each district school board must adopt policies for selection, development, administration, and scoring of local assessments and for collection of assessment results. Local assessments implemented under subparagraphs (b)4. and 5. may include a variety of assessment formats, including, but not limited to, project-based assessments, adjudicated performances, and practical application assignments. For all English Language Arts, mathematics, science, and social studies courses offered

in the district that are used to meet graduation requirements under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are not otherwise assessed by statewide, standardized assessments, the district school board must select the assessments described in subparagraphs (b)1.-4.

(d)(e) The Commissioner of Education shall identify methods to assist and support districts in the development and acquisition of assessments required under this subsection. Methods may include developing item banks, facilitating the sharing of developed tests among school districts, acquiring assessments from state and national curriculum-area organizations, and providing technical assistance in best professional practices of test development based upon state-adopted curriculum standards, administration, and security.

(e)(d) Each school district shall establish schedules for the administration of any district-mandated assessment and approve the schedules as an agenda item at a district school board meeting. The school district shall publish the testing schedules on its website, clearly specifying the district-mandated assessments, and report the schedules to the Department of Education by October 1 of each year.

Section 13. Subsections (1), (7), and (8) of section 1012.34, Florida Statutes, are amended, and subsections (9) and (10) are added to that section, to read:

1012.34 Personnel evaluation procedures and criteria.—

(1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

(a) For the purpose of increasing student *academic performance learning growth* by improving the quality of instructional, administrative, and supervisory services in the public schools of the state, the district school superintendent shall establish procedures for evaluating the performance of duties and responsibilities of all instructional, administrative, and supervisory personnel employed by the school district. *The district school superintendent shall provide instructional personnel the opportunity to review their class rosters for accuracy and to correct any mistakes.* The district school superintendent shall ~~annually~~ report accurate class rosters for the purpose of calculating district and statewide student performance and annually report the evaluation results of instructional personnel and school administrators to the Department of Education in addition to the information required under subsection (5).

(b) The department must approve each school district's instructional personnel and school administrator evaluation systems. The department shall monitor each district's implementation of its instructional personnel and school administrator evaluation systems for compliance with the requirements of this section.

(c) *Annually*, by December 1, ~~2012~~, the Commissioner of Education shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the approval and implementation status of each school district's instructional personnel and school administrator evaluation systems. The report shall include performance evaluation results for the prior school year for instructional personnel and school administrators using the four levels of performance specified in paragraph (2)(e). The performance evaluation results for instructional personnel shall be disaggregated by classroom teachers, as defined in s. 1012.01(2)(a), excluding substitute teachers, and all other instructional personnel, as defined in s. 1012.01(2)(b)-(d). The commissioner shall include in the report each district's performance-level standards established under subsection (7), a comparative analysis of the district's student academic performance results and evaluation results, ~~data reported under s. 1012.341, continue to report, by December 1 each year thereafter, each school district's performance evaluation results and the status of any evaluation system revisions requested by a school district pursuant to subsection (6).~~

(7) MEASUREMENT OF STUDENT LEARNING GROWTH.—

(a) ~~By June 1, 2011~~, The Commissioner of Education shall approve a formula to measure individual student learning growth on the statewide, standardized assessments in English Language Arts and mathematics on the Florida Comprehensive Assessment Test (FCAT) administered under s. 1008.22 ~~1008.22(3)(e)1~~. The formula must take into consideration each student's prior academic performance. The formula must not set different expectations for student learning growth based upon a student's gender, race, ethnicity, or socioeconomic status. In the devel-

opment of the formula, the commissioner shall consider other factors such as a student's attendance record, disability status, or status as an English language learner. The commissioner shall select additional formulas as appropriate for the remainder of the statewide assessments included under s. 1008.22 and continue to select formulas as new assessments are implemented in the state system. After the commissioner approves the formula to measure individual student learning growth on the FCAT and as additional formulas are selected by the commissioner for new assessments implemented in the state system, the State Board of Education shall adopt these formulas *in by* rule.

(b) ~~Beginning in the 2011-2012 school year~~, Each school district shall measure student learning growth using the ~~formulas~~ formula approved by the commissioner under paragraph (a) for courses associated with the statewide, standardized assessments administered FCAT. ~~Each school district shall implement the additional student learning growth measures selected by the commissioner under paragraph (a) for the remainder of the statewide assessments included under s. 1008.22 no later than the school year immediately following the year the formula is approved by the commissioner as they become available. Beginning in the 2014-2015 school year~~, For grades and subjects not assessed by statewide, standardized assessments but otherwise assessed as required under s. 1008.22(6) ~~1008.22(8)~~, each school district shall measure performance of students ~~student learning growth~~ using a methodology determined by the district ~~an equally appropriate formula~~. The department shall provide models for measuring performance of students ~~student learning growth~~ which school districts may adopt.

(c) For a course that is not measured by a statewide, standardized assessment, a school district may request, through the evaluation system approval process, to use a student's ~~student~~ achievement level measure rather than a student learning growth measure if achievement is demonstrated to be a more appropriate measure of classroom teacher performance. A school district may also request to use a combination of student learning growth and achievement, if appropriate.

(d) ~~For If the student learning growth in a course that is not measured by a statewide, standardized assessment but is measured by a school district assessment~~, a school district may request, through the evaluation system approval process, that the performance evaluation for the classroom teacher assigned to that course include the learning growth of his or her students on *one or more statewide, standardized assessments FCAT Reading or FCAT Mathematics*. The request must clearly explain the rationale supporting the request. ~~However, the classroom teacher's performance evaluation must give greater weight to student learning growth on the district assessment.~~

(e) *For purposes of this section and only for the 2014-2015 school year, a school district may use measurable learning targets on local assessments administered under s. 1008.22(6) to evaluate the performance of students' portion of a classroom teacher's evaluation for courses that are not assessed by statewide, standardized assessments. classroom teachers of courses for which the district has not implemented appropriate assessments under s. 1008.22(8) or for which the school district has not adopted an equally appropriate measure of student learning growth under paragraphs (b)-(d), student learning growth must be measured by the growth in learning of the classroom teacher's students on statewide assessments, or, for courses in which enrolled students do not take the statewide assessments, measurable Learning targets must be established based upon the goals of the school improvement plan and approved by the school principal. A district school superintendent may assign to instructional personnel in an instructional team the student learning growth of the instructional team's students on statewide assessments. This paragraph expires July 1, 2015.*

(8) RULEMAKING.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 which establish uniform procedures for the submission, review, and approval of district evaluation systems and reporting requirements for the annual evaluation of instructional personnel and school administrators; specific, discrete standards for each performance level required under subsection (2) to ensure clear and sufficient differentiation in the performance levels and to provide consistency in meaning across school districts; the measurement of student learning growth and associated implementation procedures required under subsection (7); ~~a process to permit instructional personnel to review the class roster for accuracy and to correct any mistakes relating to the identity of students for whom the individual is responsible~~; and a process for monitoring school district implementation of

evaluation systems in accordance with this section. Specifically, the rules shall establish a student performance levels learning growth standard that if not met will result in the employee receiving an unsatisfactory performance evaluation rating. In like manner, the rules shall establish a student performance level learning growth standard that must be met in order for an employee to receive a highly effective rating and a student learning growth standard that must be met in order for an employee to receive an effective rating.

(9) **TRANSITION TO NEW STATEWIDE, STANDARDIZED ASSESSMENTS.**—Standards for each performance level required under subsection (2) shall be established by the State Board of Education beginning with the 2015-2016 school year.

(10) **DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON EVALUATION PROGRESS.**—School districts are eligible for bonus rewards as provided for in the 2014 General Appropriations Act for making outstanding progress toward educator effectiveness, including implementation of instructional personnel salaries based on performance results under s. 1012.34 and the use of local assessment results in personnel evaluations when statewide, standardized assessments are not administered.

Section 14. Section 1012.341, Florida Statutes, is amended to read:

1012.341 Exemption from performance evaluation system and compensation and salary schedule requirements.—

(1) ~~Hillsborough County Notwithstanding any other provision of this act, a School District that received an exemption under Florida's Race to the Top Memorandum of Understanding for Phase 2, as provided in s. (D)(2)(ii) of the memorandum. Accordingly, notwithstanding any other provision of law, Hillsborough County School District, is allowed to base 40 percent, instead of 50 percent, of instructional personnel and school administrator performance evaluations upon student performance learning growth under s. 1012.34, as amended by this act. The school district is also exempt from the amendments to s. 1012.22(1)(c) made by chapter 2011-1, Laws of Florida this act. The exemptions described in this subsection are effective beginning with for the 2011-2012 school year and until the expiration of this section are effective for each school year thereafter if the school district receives annual approval by the State Board of Education.~~

(2) ~~By October 1, 2014, and by October 1 annually thereafter, the superintendent of Hillsborough County School District shall attest, in writing, to the Commissioner of Education that The State Board of Education shall base its approval upon demonstration by the school district of the following:~~

(a) The instructional personnel and school administrator evaluation systems base at least 40 percent of an employee's performance evaluation upon student performance and that student performance is the single greatest component of an employee's evaluation.

(b) The instructional personnel and school administrator evaluation systems adopt the Commissioner of Education's student learning growth formula for statewide assessments as provided under s. 1012.34(7).

(c) The school district's instructional personnel and school administrator compensation system awards salary increases based upon sustained student performance.

(d) The school district's contract system awards instructional personnel and school administrators based upon student performance and removes ineffective employees.

~~(e) Beginning with the 2014-2015 school year and each school year thereafter, student learning growth based upon performance on statewide assessments under s. 1008.22 must have significantly improved compared to student learning growth in the district in 2011-2012 and significantly improved compared to other school districts.~~

(3) ~~Failure to comply with subsection (2) is grounds for the State Board of Education, at a public hearing, to revoke the exemption. The State Board of Education shall annually renew a school district's exemptions if the school district demonstrates that it meets the requirements of subsection (2). If the exemptions are not renewed, the school district must comply with the requirements and laws described in sub-~~

~~section (1) by the beginning of the next school year immediately following the loss of the exemptions.~~

~~(4) The State Board of Education shall adopt rules pursuant to ss. 120.526(1) and 120.54 to establish the procedures for applying for the exemptions and the criteria for renewing the exemptions.~~

This section ~~is shall be~~ repealed August 1, 2017, unless reviewed and reenacted by the Legislature.

And the title is amended as follows:

Delete line 31 and insert: State Board of Education to adopt rules; 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

Pursuant to Rule 4.19, **CS for SB 1642** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SPECIAL GUESTS

Senator Thrasher introduced his daughter, Jennifer, who was present in the gallery.

Consideration of **SB 1010** and **SB 162** was deferred.

On motion by Senator Brandes—

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 second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 226** was placed on the calendar of Bills on Third Reading.

CS for SB 292—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 of Revenue to share such information with the Secretary of Management Services and the E911 Board; 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.

Pending further consideration of **CS for SB 292**, on motion by Senator Hays, by two-thirds vote **CS for HB 177** was withdrawn from the

Committees on Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and Rules.

On motion by Senator Hays—

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.

—a companion measure, was substituted for **CS for SB 292** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 177** was placed on the calendar of Bills on Third Reading.

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

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.

—which was previously considered March 26.

THE PRESIDENT PRESIDING

Senator Ring moved the following amendment which was adopted:

Amendment 1 (455062)—Delete line 20 and insert:

943.0438 Athletic coaches for independent sanctioning

Pursuant to Rule 4.19, **CS for SB 358** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Richter—

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 second time by title.

Pursuant to Rule 4.19, **SB 1010** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brandes—

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 second time by title.

Pursuant to Rule 4.19, **CS for SB 366** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 384** was deferred.

On motion by Senator Hays—

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 second time by title.

Pursuant to Rule 4.19, **CS for SB 390** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

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 second time by title.

Pursuant to Rule 4.19, **CS for SB 398** was placed on the calendar of Bills on Third Reading.

On motion by Senator Altman—

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 second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 440** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

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 second time by title.

Pursuant to Rule 4.19, **SB 516** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

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.

—was read the second time by title.

Senator Latvala moved the following amendments which were adopted:

Amendment 1 (438664)—Delete line 17 and insert:

(1) *A taxpayer's e-mail*

Amendment 2 (896550)—Delete lines 32-33 and insert: *subsection (1) is not confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.*

Pursuant to Rule 4.19, **SB 538** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Montford—

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 second time by title.

Pursuant to Rule 4.19, **CS for SB 646** was placed on the calendar of Bills on Third Reading.

On motion by Senator Montford—

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 second time by title.

Pursuant to Rule 4.19, **CS for SB 648** was placed on the calendar of Bills on Third Reading.

On motion by Senator Montford—

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 second time by title.

Pursuant to Rule 4.19, **CS for SB 656** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

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 second time by title.

Pursuant to Rule 4.19, **SB 796** was placed on the calendar of Bills on Third Reading.

On motion by Senator Detert—

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 second time by title.

Pursuant to Rule 4.19, **SB 996** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

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 second time by title.

Pursuant to Rule 4.19, **SB 1664** was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator Thrasher, the rules were waived and the roll call for **HB 5001** was corrected to delete the vote for Senator Benacquisto who was excused at the time the vote was taken. Senator Benacquisto submitted a vote after roll call letter to the Secretary.

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 Thursday, April 3, 2014 and Friday, April 4, 2014: SB 2500, SB 2502, SB 2504, SB 2506, SB 2508, SB 2510, SB 2512, SB 2514, SB 162, CS for CS for SB 226, CS for SB 292, CS for SB 366, CS for SB 384, CS for SB 390, CS for SB 398, CS for CS for SB 440, CS for CS for SB 450, SB 490, SB 516, SB 538, CS for CS for SB 570, CS for SB 646, CS for SB 648, CS for SB 656, SB 796, CS for SB 864, SB 996, SB 1010, CS for SB 1194, CS for SB 1450, CS for SB 1642, SB 1664, SB 1676.

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

The Committee on Environmental Preservation and Conservation recommends the following pass: CS for SB 1306

The Committee on Health Policy recommends the following pass: CS for SB 1160

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

The Committee on Community Affairs recommends the following pass: SB 978; CS for SB 1326; CS for SB 1342; SB 1532

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 872

The Committee on Health Policy recommends the following pass: SB 1230 with 1 amendment; SB 1388

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

The Committee on Community Affairs recommends the following pass: SB 550

The bill was referred to Appropriations Subcommittee on Criminal and Civil Justice under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1052

The bill was referred to Appropriations Subcommittee on Finance and Tax under the original reference.

The Committee on Health Policy recommends the following pass: SB 1428

The bill was referred to Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Community Affairs recommends the following pass: SB 884

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

The Committee on Health Policy recommends the following pass: SB 1700

The bill was referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Community Affairs recommends the following pass: SJR 916

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

The Committee on Health Policy recommends the following pass: CS for SB 1106

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

The Committee on Community Affairs recommends the following pass: SB 922

The Committee on Governmental Oversight and Accountability recommends the following pass: SB 386; CS for SB 414; CS for SB 840; SB 1046; CS for SB 1140; CS for SB 1318

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

The Committee on Community Affairs recommends the following pass: SB 620

The Committee on Governmental Oversight and Accountability recommends the following pass: CS for SB 692

The Committee on Rules recommends the following pass: CS for SB 72; SB 290; CS for SB 298; SB 374; CS for SB 540; CS for SB 546; CS for SB 826; CS for SB 828; CS for SR 894; CS for SB 998; CS for SB 1002; SB 1108; SB 1262; CS for CS for SB 1300

The bills were placed on the Calendar.

The Committee on Agriculture recommends committee substitutes for the following: CS for SB 1044; CS for SB 1576

The Committee on Community Affairs recommends committee substitutes for the following: SB 910; SB 1382; CS for SB 1474; CS for SB 1632

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: SB 1328; CS for SB 1442

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 316

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 702; CS for SB 798; SB 920; CS for SB 972

The Committee on Rules recommends a committee substitute for the following: CS for SB 1254

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 508

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 1646

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1266

The Committee on Health Policy recommends a committee substitute for the following: SB 992

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

The Committee on Judiciary recommends a committee substitute for the following: SB 104

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Military and Veterans Affairs, Space, and Domestic Security recommends a committee substitute for the following: CS for SB 296

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

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 904; SB 1440

The bills with committee substitute attached were referred to the Committee on Criminal Justice under the original reference.

The Committee on Communications, Energy, and Public Utilities recommends a committee substitute for the following: SB 1050

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1436

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 214

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1580

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1190

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1628

The Committee on Health Policy recommends committee substitutes for the following: SB 918; SB 1470

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

The Committee on Health Policy recommends a committee substitute for the following: SB 1212

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

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: CS for SB 350; SM 368

The Committee on Judiciary recommends committee substitutes for the following: SB 862; CS for SB 976; SB 1526

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

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1048

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 674

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: CS for SB 286; SB 726; CS for SB 730

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 836

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 586; SB 870; CS for SB 1138

The Committee on Rules recommends committee substitutes for the following: CS for CS for SB 278; CS for SB 280; CS for SB 926; CS for SB 1524

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

REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Education recommends the following pass: SB 886

Appropriations Subcommittee on Finance and Tax recommends the following pass: SB 362; SB 712

Appropriations Subcommittee on General Government recommends the following pass: SB 914; CS for CS for SB 956; CS for CS for SB 1014; CS for SB 1098; CS for SB 1210

Appropriations Subcommittee on Health and Human Services recommends the following pass: CS for CS for SB 268; CS for SB 662; CS for SB 694

Appropriations Subcommittee on Transportation, Tourism, and Economic Development recommends the following pass: CS for SB 876; CS for SB 1480

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Transportation recommends that the Senate confirm the following appointment made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Transportation Commission	
Appointee: Wright, Kenneth W.	09/30/2014

The appointment was referred to the Committee on Ethics and Elections under the original reference.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senator Soto—

CS for SB 104—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules or time-sharing arrangements as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of taking such judicial notice to be filed within a specified period; providing that the term "family cases" has the same meaning as provided in the Rules of Judicial Administration; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; providing an effective date.

By the Committee on Commerce and Tourism; and Senators Thompson and Abruzzo—

CS for SB 214—A bill to be entitled An act relating to the Black Cultural Tourism Enhancement Commission; creating the commission within the Department of State; directing the commission to independently exercise its powers and duties; requiring the department to provide administrative and staff support services to the commission; providing the powers and duties of the commission; providing for the appointment and terms of commission members; providing for the re-

imbursement of per diem and travel expenses for commission members; defining the term “direct-support organization”; authorizing the commission to create a direct-support organization; providing purposes and objectives; providing for members of the board of the direct-support organization; providing that the direct-support organization is subject to public records and meetings requirements; requiring expenses of the direct-support organization to be paid by private funds; requiring the direct-support organization to operate under a written contract with the commission; specifying contract requirements; providing guidelines for the use of the funds; requiring the direct-support organization to comply with audit requirements; providing an effective date.

By the Committees on Rules; Regulated Industries; and Health Policy; and Senator Grimsley—

CS for CS for CS for SB 278—A bill to be entitled An act relating to pharmacy; amending s. 465.014, F.S.; increasing the number of registered pharmacy technicians which a licensed pharmacist may supervise; amending s. 465.004, F.S.; revising the composition of the Board of Pharmacy; amending s. 465.189, F.S.; authorizing pharmacists to administer meningococcal and shingles vaccines under certain circumstances; amending ss. 456.42 and 893.04, F.S.; requiring written prescriptions for specified controlled substances to be legibly dated in a specified format; providing an effective date.

By the Committees on Rules; and Governmental Oversight and Accountability; and 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.

By the Committees on Governmental Oversight and Accountability; and Regulated Industries; and Senators Richter, Latvala, Detert, Garcia, Bradley, Flores, Smith, and Bean—

CS for CS for SB 286—A bill to be entitled An act relating to concrete masonry education; providing a short title; creating the Florida Concrete Masonry Education Council, Inc.; requiring the council to operate under a written contract with the Department of Economic Opportunity; providing powers and duties of the council; providing restrictions; providing for appointment and terms of the governing board of the council; authorizing the council to accept grants, donations, contributions, and gifts under certain circumstances; authorizing the council to make payments to other organizations under certain circumstances; providing for collection of a voluntary assessment on concrete masonry units; requiring manufacturers who elect to pay the assessment to commit to paying the assessment for a specified period; requiring the council to adopt bylaws; providing for the adoption of bylaws and amendments to bylaws; providing an effective date.

By the Committees on Military and Veterans Affairs, Space, and Domestic Security; and Criminal Justice; and Senator Brandes—

CS for CS for SB 296—A bill to be entitled An act relating to carrying a concealed weapon or a concealed firearm; amending s. 790.01, F.S.; providing an exemption from criminal penalties for carrying a concealed weapon or a concealed firearm while in the act of complying with a mandatory evacuation order during a declared state of emergency; providing an effective date.

By the Committees on Health Policy; and Children, Families, and Elder Affairs; and Senator Bean—

CS for CS for SB 316—A bill to be entitled An act relating to certification of assisted living facility administrators; amending s. 429.52, F.S.; requiring assisted living facility administrators to meet the training and education requirements established by a third-party credentialing entity or by the Department of Elderly Affairs; requiring the department to establish a competency test; requiring a third-party credentialing entity to develop a competency test and a minimum required score to indicate successful completion of the training and educational requirements; revising requirements for facility administrators who are hired on or after a specified date; authorizing the department to require additional training and education of any personal care staff in the facility, except for certain assisted living facility administrators; requiring training to be conducted by an entity recognized by a third-party credentialing entity under s. 429.55, F.S.; authorizing the department to adopt rules to establish staff training requirements; creating s. 429.55, F.S.; providing legislative intent; defining terms; authorizing the department to approve third-party credentialing entities for the purpose of developing and administering a professional credentialing program for assisted living facility administrators; requiring the department to approve a third-party credentialing entity that documents compliance with certain minimum standards; authorizing an administrator to be certified by a third-party credentialing entity; providing that an administrator who fails to be certified under s. 429.55, F.S., or fails to complete training and educational requirements under s. 429.55, F.S., is subject to an administrative fine; providing an exemption for an administrator licensed under part II of ch. 468, F.S.; requiring a third-party credentialing entity to allow certain persons to enroll in its certification program for a specified time after the department approves the third-party credentialing entity; requiring an approved third-party credentialing entity to establish the core competencies for administrators according to the nationally recognized professional psychometric standards; requiring a certification program of a third-party credentialing entity to meet certain requirements; authorizing an individual adversely affected by the decision of a third-party credentialing entity to appeal the decision under certain circumstances; requiring a third-party credentialing entity to establish fees; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Health Policy; and Senator Abruzzo—

CS for CS for SB 350—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for personal identifying information of participants in a yellow dot critical motorist medical information program; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

CS for SM 368—A memorial to the Congress of the United States, applying to Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States to provide that every law enacted by Congress shall embrace only one subject, which shall be clearly expressed in its title.

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

CS for SB 508—A bill to be entitled An act relating to the state ombudsman program; amending s. 400.0060, F.S.; revising and providing definitions; amending s. 400.0061, F.S.; revising legislative intent with respect to citizen ombudsmen; deleting references to ombudsman councils and transferring their responsibilities to representatives of the Office of State Long-Term Care Ombudsman; amending s. 400.0063, F.S.; revising duties of the office; amending s. 400.0065, F.S.; revising the purpose of the office; revising the duties and authority of the state ombudsman; requiring the state ombudsman to submit an annual report to the Governor, the Legislature, and specified agencies and entities; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; amending s. 400.0069, F.S.; requiring the state ombudsman to designate and direct program districts;

requiring each district to conduct public meetings; providing duties of representatives of the office in the districts; revising the appointments of and qualifications for district ombudsmen; prohibiting certain individuals from serving as ombudsmen; deleting provisions that provide for an election of a chair of a local council and the meeting times for the local council; amending s. 400.0070, F.S.; providing conditions under which a representative of the office could be found to have a conflict of interest; requiring the Department of Elderly Affairs, in consultation with the state ombudsman, to define by rule what constitutes a conflict of interest; amending s. 400.0071, F.S.; requiring the Department of Elderly Affairs to consult with the state ombudsman to adopt rules pertaining to complaint procedures; amending s. 400.0073, F.S.; providing procedures for investigation of complaints; amending s. 400.0074, F.S.; revising procedures for conducting onsite administrative assessments; authorizing the department to adopt rules; amending s. 400.0075, F.S.; revising complaint notification and resolution procedures; amending s. 400.0078, F.S.; providing for a resident or representative of a resident to receive additional information regarding resident rights; amending s. 400.0079, F.S.; providing immunity from liability for a representative of the office under certain circumstances; amending s. 400.0081, F.S.; requiring long-term care facilities to provide representatives of the office with access to facilities, residents, and records for certain purposes; amending s. 400.0083, F.S.; conforming provisions to changes made by the act; amending s. 400.0087, F.S.; providing for the office to coordinate ombudsman services with Disability Rights Florida; amending s. 400.0089, F.S.; conforming provisions to changes made by the act; amending s. 400.0091, F.S.; revising training requirements for representatives of the office and ombudsmen; amending ss. 20.41, 400.021, 400.022, 400.0255, 400.1413, 400.162, 400.19, 400.191, and 400.23, F.S.; conforming provisions to changes made by the act; amending s. 400.235, F.S.; conforming provisions to changes made by the act; revising the additional criteria for recognition as a Gold Seal Program facility; amending ss. 415.102, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.02, 429.07, 429.19, 429.26, 429.28, 429.34, 429.35, 429.67, 429.85, and 744.444, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Judiciary; and Environmental Preservation and Conservation; and 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.

By the Committees on Criminal Justice; and Health Policy; and 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 dis-

qualification 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.

By the Committees on Judiciary; and Regulated Industries; and Senators Bean and Sobel—

CS for CS for SB 702—A bill to be entitled An act relating to pharmacy audits; creating s. 465.1885, F.S.; enumerating the rights of pharmacies relating to audits of pharmaceutical services which are conducted by certain entities; providing a list of audits not subject to such rights; providing an exemption from the right to notice of an on-site audit under certain circumstances; providing an effective date.

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

CS for SB 726—A bill to be entitled An act relating to the Re-employment Assistance Appeals Commission; amending s. 443.012, F.S.; revising membership requirements of the commission; removing a provision requiring payment of a daily stipend for certain commissioners; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Community Affairs; and 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.

By the Committees on Judiciary; and Regulated Industries; and Senator Ring—

CS for CS for SB 798—A bill to be entitled An act relating to residential properties; amending s. 509.013, F.S.; revising the definition of the term “public lodging establishment”; amending s. 509.032, F.S.; providing that timeshare projects are not subject to annual inspection requirements; amending s. 509.221, F.S.; providing nonapplicability of certain public lodging establishment requirements to timeshare projects; amending s. 509.241, F.S.; providing that a condominium association that does not own any units classified as timeshare projects is not required to apply for or receive a public lodging establishment license; amending s. 509.242, F.S.; revising the definition of the term “public lodging establishment” to include a “timeshare project”; deleting reference to the term “timeshare plan” in the definition of “vacation rental”; defining the term “timeshare project”; amending s. 509.251, F.S.; providing that timeshare projects within separate buildings or at separate locations but managed by one licensed agent may be combined in a single license application; amending s. 712.05, F.S.; clarifying existing law relating to notification for purposes of preserving marketable title; amending s. 718.111, F.S.; authorizing an association to inspect and repair abandoned condominium units; providing conditions to determine if a unit is abandoned; providing a mechanism for an association to recover costs associated with maintaining an abandoned unit; providing

that in the absence of an insurable event, the association or unit owners are responsible for repairs; providing that an owner may consent in writing to the disclosure of certain contact information; requiring an outgoing condominium association board or committee member to relinquish all official records and property of the association within a specified time; providing a civil penalty for failing to relinquish such records and property; amending s. 718.112, F.S.; providing that a board or committee member's participation in a meeting via real-time videoconferencing, Internet-enabled videoconferencing, or similar electronic or video communication counts toward a quorum and that such member may vote as if physically present; prohibiting the board from voting via e-mail; amending s. 718.116, F.S.; providing that a unit owner is jointly and severally liable with the previous owner for certain costs; providing an exception; defining the term "previous owner"; limiting costs and fees incurred by the association incident to the collection process to those incurred before the association acquired title; repealing s. 718.50151, F.S., relating to the Community Association Living Study Council and its membership functions; amending s. 718.707, F.S.; extending the date by which a condominium parcel must be acquired in order for a person to be classified as a bulk assignee or bulk buyer; amending s. 719.104, F.S.; providing that an owner may consent in writing to the disclosure of certain contact information; requiring an outgoing cooperative association board or committee member to relinquish all official records and property of the association within a specified time; providing a civil penalty for failing to relinquish such records and property; providing dates by which financial reports for an association must be completed; specifying that members must receive copies of financial reports; requiring specific types of financial statements for associations of varying sizes; providing exceptions; providing a mechanism for waiving or increasing financial reporting requirements; amending s. 719.106, F.S.; providing for suspension from office of a director or officer who is charged with one or more of certain felony offenses; providing procedures for filling such vacancy or reinstating such member under specific circumstances; providing a mechanism for a person who is convicted of a felony to be eligible for board membership; creating s. 719.128, F.S.; providing emergency powers of a cooperative association; amending s. 720.303, F.S.; providing that an owner may consent in writing to the disclosure of certain contact information; amending s. 720.306, F.S.; providing for specified notice to members in lieu of copies of an amendment; creating s. 720.316, F.S.; providing emergency powers of a homeowners' association; providing an effective date.

By the Committees on Health Policy; and Regulated Industries; and 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.

By the Committees on Judiciary; and Health Policy—

CS for SB 862—A bill to be entitled An act relating to prescription drug monitoring; amending s. 893.055, F.S.; defining and redefining terms; revising provisions relating to the comprehensive electronic database system and prescription drug monitoring program maintained by the Department of Health; allowing impaired practitioner consultants retained by the department access to certain information; providing requirements for the release of information shared with a state attorney in response to a discovery demand; providing procedures for the release of information to a law enforcement agency during an active investigation; requiring the department to adopt a user agreement by rule; requiring the department to enter into a user agreement with the law enforcement agency requesting the release of information; providing requirements for the user agreement; requiring a law enforcement agency under a user agreement to conduct annual audits; providing for the restriction, suspension, or termination of a user agreement; providing for access to the program database by the program manager and designated support staff; authorizing the department to provide a patient advisory report to the appropriate health care practitioner if the program manager determines that a specified pattern exists; authorizing the department to provide relevant information that does not contain personal identifying information to a law enforcement agency if the program manager determines that a specified pattern exists; authorizing the law enforcement agency to use such information to determine whether an active investigation is warranted; authorizing the department to fund the program with up to \$500,000 of funds generated under ch. 465, F.S.; authorizing the department to seek federal or private funds to support the program; repealing language creating a direct-support organization to fund the program; deleting obsolete provisions; providing an effective date.

By the Committee on Judiciary; and Senator Smith—

CS for SB 870—A bill to be entitled An act relating to insurance; amending s. 624.425, F.S.; providing that the absence of a counter-signature does not affect the validity of a policy or contract; amending s. 627.7311, F.S.; providing that a county may enact and enforce ordinances applicable to certain health care clinics; amending s. 627.94072, F.S.; providing an alternative form of a nonforfeiture provision for long-term care insurance; amending s. 629.271, F.S.; authorizing reciprocal insurers to return a portion of unassigned funds to their subscribers;

amending s. 631.54, F.S.; defining the term “assessment year”; amending s. 631.57, F.S.; revising provisions relating to the levy of assessments on insurers by the Florida Insurance Guaranty Association; specifying the conditions under which such assessments are paid; revising procedures and timeframes for the levying of the assessments; deleting the requirement that insurers file a final accounting report documenting the recoupment; revising an exemption for assessments; amending s. 631.64, F.S.; requiring charges or recoupments to be displayed separately on premium statements to policyholders and prohibiting their inclusion in rates; amending ss. 627.727 and 631.55, F.S.; conforming cross-references; providing an effective date.

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

CS for SB 904—A bill to be entitled An act relating to the abuse of a parent; creating s. 784.09, F.S.; defining the terms “child” and “parent” for purposes of the crimes of abuse of a parent, aggravated abuse of a parent, exploitation of a parent’s assets, and emotional abuse of a parent; providing the elements of such crimes; providing criminal penalties; authorizing alternative sentencing under certain circumstances; requiring reporting of the abuse of a parent or exploitation of a parent’s assets to the Department of Children and Families’ central abuse hotline; providing immunity for a person who makes such a report; providing an effective date.

By the Committee on Community Affairs; and Senator Legg—

CS for SB 910—A bill to be entitled An act relating to utility projects; providing a short title; providing definitions; authorizing certain local government entities to finance the costs of a utility project by issuing utility cost containment bonds upon application by a local agency; specifying application requirements; requiring that savings resulting from the issuance of utility cost containment bonds be used for the benefit of the customers of a public utility; requiring any successor entity of a local agency to assume and perform the obligations of the local agency with respect to the financing of a utility project; authorizing an authority to issue utility cost containment bonds for specified purposes related to utility projects; authorizing an authority to form alternate entities to finance utility projects; requiring the governing body of the authority to adopt a financing resolution and impose a utility project charge on customers of a publicly owned utility as a condition of utility project financing; specifying required and optional provisions of the financing resolution; specifying powers of the authority; requiring the local agency or its publicly owned utility to assist the authority in the establishment or adjustment of the utility project charge; requiring that customers of the public utility specified in the financing resolution pay the utility project charge; providing for adjustment of the utility project charge; establishing ownership of the revenues of the utility project charge; requiring the local agency or its publicly owned utility to collect the utility project charge; conditioning a customer’s receipt of public utility services on payment of the utility project charge; authorizing a local agency or its publicly owned utility to use available remedies to enforce collection of the utility project charge; providing that the pledge of the utility project charge or the utility project property to secure payment of bonds issued to finance the utility project is irrevocable and cannot be reduced or impaired except under certain conditions; providing that a utility project charge constitutes utility project property; providing that utility project property is subject to a lien to secure payment of costs relating to utility cost containment bonds; establishing payment priorities for the use of revenues of the utility project property; providing for the issuance and validation of utility cost containment bonds; securing the payment of utility cost containment bonds and related costs; providing that utility cost containment bonds do not obligate the state or any political subdivision thereof and are not backed by their full faith and credit and taxing power; requiring that certain disclosures be printed on utility cost containment bonds; providing that financing costs related to utility cost containment bonds are an obligation of the authority only; securing the payment of the financing costs of utility cost containment bonds; prohibiting an authority with outstanding payment obligations on utility cost containment bonds from becoming a debtor under certain federal or state laws; providing for construction; endowing public entities with certain powers; providing an effective date.

By the Committee on Health Policy; and Senator Flores—

CS for SB 918—A bill to be entitled An act relating to the termination of pregnancies; amending s. 390.011, F.S.; defining the terms “reasonable medical judgment” and “standard medical measure” and redefining the term “viability”; amending s. 390.0111, F.S.; revising the circumstances under which a pregnancy in the third trimester may be terminated; providing the standard of medical care for the termination of a pregnancy during the third trimester; providing criminal penalties for a violation of s. 390.01112, F.S.; authorizing administrative discipline for a violation of s. 390.01112, F.S., by certain licensed professionals; creating s. 390.01112, F.S.; prohibiting the termination of a viable fetus; providing exceptions; requiring a physician to perform certain examinations to determine the viability of a fetus; providing the standard of care for the termination of a viable fetus; amending s. 797.03, F.S.; prohibiting an abortion of a viable fetus outside of a hospital; providing for severability; providing for a contingent future repeal and reversion of law; providing an effective date.

By the Committee on Judiciary; and Senators Dean and Joyner—

CS for SB 920—A bill to be entitled An act relating to protective orders; amending ss. 741.30, 784.046, and 784.0485, F.S.; extending the effectiveness of certain temporary injunctions in domestic violence, repeat violence, sexual violence, dating violence, or stalking proceedings in certain circumstances; amending ss. 784.047 and 784.0487, F.S.; providing that it is unlawful for a person to violate a final injunction for protection against repeat violence, dating violence, sexual violence, stalking, or cyberstalking by having in his or her care, custody, possession, or control any firearm or ammunition; providing penalties; amending s. 790.233, F.S.; conforming provisions to changes made by the act; amending s. 901.15, F.S.; expanding situations in which an arrest without a warrant is lawful to include probable cause of repeat violence, sexual violence, stalking, cyberstalking, or child abuse; providing an effective date.

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

CS for CS for SB 926—A bill to be entitled An act relating to wage theft; amending s. 34.01, F.S.; expanding the original jurisdiction of county courts; creating s. 448.115, F.S.; defining the term “wage theft”; describing the occurrence of a wage theft; authorizing an aggrieved employee to initiate a civil action for wage theft; granting county courts original and exclusive jurisdiction over actions involving wage theft; specifying requirements to bring a civil action for wage theft; authorizing a county, municipality, or political subdivision to establish an administrative process to assist in the collection of compensation owed to an employee; preempting regulation of wage theft to the state after a specified date; exempting certain counties, municipalities, and political subdivisions; providing an effective date.

By the Committees on Judiciary; and Children, Families, and Elder Affairs; and Senators Galvano and Bradley—

CS for CS for SB 972—A bill to be entitled An act relating to attorneys for dependent children with special needs; providing legislative findings and intent; creating s. 39.01305, F.S.; requiring appointment of an attorney to represent a dependent child who meets one or more specified criteria; requiring that, if one is available, an attorney who is willing to represent a child without additional compensation be appointed; requiring that the appointment be in writing; requiring that the appointment continue in effect until the attorney is allowed to withdraw or is discharged by the court or until the case is dismissed; requiring that an attorney not acting in a pro bono capacity be adequately compensated for his or her services and have access to funding for certain costs; providing for financial oversight by the Justice Administrative Commission; providing a limit on attorney fees; requiring the Department of Children and Families to develop procedures to identify dependent children who qualify for an attorney; authorizing the department to adopt rules; providing applicability; providing an effective date.

By the Committees on Judiciary; and Health Policy; and Senator Bean—

CS for CS for SB 976—A bill to be entitled An act relating to home health care; amending s. 400.471, F.S.; exempting certain home health agencies from specified licensure application requirements; amending s. 400.506, F.S.; requiring a licensed nurse registry to ensure that each certified nursing assistant and home health aide referred by the registry present certain credentials; providing that registered nurses, licensed practical nurses, certified nursing assistants, companions or homemakers, and home health aides are independent contractors and not employees of the nurse registries that referred them; requiring a nurse registry to inform the patient, the patient's family, or a person acting on behalf of the patient that the a referred caregiver is an independent contractor and that the nurse registry is not required to monitor, supervise, manage, or train a registered nurse, licensed practical nurse, certified nursing assistant, companion or homemaker, or home health aide referred by the nurse registry; providing the duties of the nurse registry for a violation of certain laws by an individual referred by the nurse registry; requiring that certain records be kept in accordance with rules set by the Agency for Health Care Administration; providing that a nurse registry does not have an obligation to review and act upon such records except under certain circumstances; providing an effective date.

By the Committee on Health Policy; and Senator Bean—

CS for SB 992—A bill to be entitled An act relating to infectious disease control; requiring the Department of Health to convene a task force to evaluate activities related to antibiotic-resistant bacteria; specifying appointments; providing duties and responsibilities of the task force; requiring the task force to submit a report, an action plan, and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives; amending s. 400.141, F.S.; revising the type of pneumococcal vaccine given to nursing home residents; deleting obsolete language; providing an effective date.

By the Committees on Agriculture; and Communications, Energy, and Public Utilities; and Senator Simpson—

CS for CS for SB 1044—A bill to be entitled An act relating to energy policies; amending s. 377.6015, F.S.; removing a provision relating to representation in the Southern States Energy Compact; amending s. 377.703, F.S.; requiring the Department of Agriculture and Consumer Services to include in its annual report recommendations for energy efficiency; expanding the promotion of the development and use of renewable energy resources from goals related to solar energy to renewable energy in general; requiring the department to cooperate with the Florida Energy Systems Consortium in the development and use of renewable energy resources; amending s. 377.712, F.S.; authorizing the Commissioner of Agriculture to appoint a member to the Southern States Energy Board; authorizing the department to approve proposed activities relating to furtherance of the Southern States Energy Compact; amending s. 377.801, F.S.; conforming a cross-reference; amending s. 377.802, F.S.; amending the purpose of the Florida Energy and Climate Protection Act; amending s. 377.803, F.S.; conforming provisions to changes made by the act; creating s. 377.815, F.S.; authorizing the department to post on its website information relating to alternative fueling stations or electric vehicle charging stations; defining the term "alternative fuel"; authorizing the owner or operator of an alternative fueling station or an electric vehicle charging station to report certain information; amending s. 553.74, F.S.; adding a member to the Florida Building Commission as a representative of the Department of Agriculture and Consumer Services' Office of Energy; deleting obsolete provisions; repealing ss. 377.806 and 377.807, F.S., relating to the Solar Energy System Incentives Program and the Energy-Efficient Appliance Rebate Program, respectively; providing an effective date.

By the Committees on Community Affairs; and Transportation; and Senator Latvala—

CS for CS for SB 1048—A bill to be entitled An act relating to the Department of Transportation; creating s. 339.041, F.S.; providing legislative findings and intent; authorizing the department to seek certain investors for certain leases; prohibiting the department from pledging the credit, general revenues, or taxing power of the state or any political

subdivision of the state; specifying the collection and deposit of lease payments by agreement with the department; creating s. 339.70, F.S.; limiting the number of referenda that certain authorities may be subject to; specifying that a referendum applies to future bond issuances; amending s. 373.618, F.S.; providing that a public information system is subject to the requirements of the Highway Beautification Act of 1965 and all federal laws and agreements when applicable; deleting an exemption; amending s. 479.01, F.S., relating to outdoor advertising signs; revising and deleting definitions; amending s. 479.02, F.S.; revising duties of the Department of Transportation relating to signs; deleting a requirement that the department adopt certain rules; creating s. 479.024, F.S.; limiting the placement of signs to commercial or industrial zones; defining the terms "parcel" and "utilities"; requiring a local government to use specified criteria to determine zoning for commercial or industrial parcels; providing that certain parcels are considered unzoned commercial or industrial areas; authorizing a permit for a sign in an unzoned commercial or industrial area in certain circumstances; prohibiting specified uses and activities from being independently recognized as commercial or industrial; requiring the department to notify an applicant of the department's determination to deny a sign permit; providing an appeal process for an applicant whose permit is denied; requiring an applicant whose application is denied to remove an existing sign pertaining to the application; providing that the applicant is responsible for all sign removal costs in certain circumstances; requiring the department to reduce certain transportation funding in certain circumstances; amending s. 479.03, F.S.; revising the conditions under which the department may enter intervening privately owned lands to remove an illegal sign; amending s. 479.04, F.S.; providing that an outdoor advertising license is not required solely to erect or construct outdoor signs or structures; amending s. 479.05, F.S.; authorizing the department to suspend a license for certain offenses and specifying activities that the licensee may engage in during the suspension; prohibiting the department from granting a transfer of an existing permit or issuing an additional permit during the suspension; amending s. 479.07, F.S.; revising requirements for obtaining sign permits; conforming and clarifying provisions; revising permit tag placement requirements for signs; deleting a provision that allows a permittee to provide its own replacement tag; increasing the permit transfer fee for any multiple transfers between two outdoor advertisers in a single transaction; revising the permit reinstatement fee; revising requirements for permitting certain signs visible to more than one highway; deleting provisions limiting a pilot program to specified locations; deleting redundant provisions relating to certain new or replacement signs; deleting provisions requiring maintenance of statistics on the pilot program; amending s. 479.08, F.S.; revising provisions relating to the denial or revocation of a permit because of false or misleading information in the permit application; amending s. 479.10, F.S.; authorizing the cancellation of a permit; amending s. 479.105, F.S.; revising notice requirements to owners and advertisers relating to signs erected or maintained without a permit; revising procedures for the department to issue a permit as a conforming or nonconforming sign to the owner of an unpermitted sign; revising penalties; amending s. 479.106, F.S.; revising provisions relating to the removal, cutting, or trimming of trees or vegetation to increase sign face visibility; providing that a specified penalty is applied per sign facing; amending s. 479.107, F.S.; deleting a fine for specified violations; amending s. 479.111, F.S.; clarifying a reference to a certain agreement; amending s. 479.15, F.S.; deleting a definition; revising provisions relating to relocation of certain signs on property subject to public acquisition; amending s. 479.156, F.S.; clarifying provisions relating to the regulation of wall murals; amending s. 479.16, F.S.; revising the exemptions of certain signs from the permit requirement under 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; prohibiting certain permit exemptions from being implemented or continued if the implementations or continuations 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 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. 479.24, F.S.; clarifying provisions relating to compensation paid for the department's acquisition of lawful signs; amending s. 479.25, F.S.; revising provisions relating to local government action with respect to erection of noise-attenuation barriers that block views of lawfully erected signs; deleting provisions to conform to changes made by the act; amending s. 479.261, F.S.; expanding the logo sign program to the lim-

ited access highway system; conforming provisions related to a logo sign program on the limited access highway system; 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 roads; prohibiting such signs in urban areas or at interchanges on freeways or expressways; amending s. 479.313, F.S.; requiring a permittee to pay the cost of removing certain signs following the cancellation of the permit for the sign; repealing s. 76 of chapter 2012-174, Laws of Florida, relating to authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program and directing the department to submit the approved pilot program for legislative approval; establishing a pilot program for the School District of Palm Beach County to recognize its business partners; providing for expiration of the program; providing an effective date.

By the Committee on Communications, Energy, and Public Utilities; and Senator Hays—

CS for SB 1050—A bill to be entitled An act relating to water and wastewater utility systems; creating s. 159.8105, F.S.; requiring the Division of Bond Finance of the State Board of Administration to review the allocation of private activity bonds to determine the availability of additional allocation or reallocation of bonds for water facilities or sewage facilities; amending s. 367.022, F.S.; exempting from regulation by the Florida Public Service Commission a person who resells water service to certain tenants or residents up to a specified cost; amending s. 367.081, F.S.; establishing criteria for determining the quality of water and wastewater services provided by a utility; establishing a procedure to follow if the commission determines that a utility has failed to provide water and wastewater services that meet certain standards; requiring the commission to adopt rules that include fines; providing for recovery of costs prudently incurred by a utility to address certain findings of the commission or the Department of Environmental Protection; authorizing the creation of a utility reserve fund to establish rates for a utility; requiring the commission to adopt rules to govern such fund; providing for the automatic increase or decrease of approved rates under certain circumstances; establishing criteria for adjusted rates; specifying expense items that permit an automatic increase or decrease in utility rates; providing standards to allow the commission to establish, by rule, additional specified expense items that cause an automatic increase or decrease of utility rates; deleting certain requirements for approved utility rates that are automatically increased or decreased, upon notice to the commission; deleting a prohibition to conform to changes made by the act; authorizing a water utility to establish a surcharge or other mechanism to recover the prudently incurred fixed costs of certain system improvement projects approved by the commission; amending s. 367.0814, F.S.; conforming cross-references to changes made by the act; amending s. 403.8532, F.S.; authorizing the Department of Environmental Protection to make, or to request that the Florida Water Pollution Control Financing Corporation make loans, grants, and deposits to for-profit privately owned or investor-owned water systems, and deleting current restrictions on such activities; providing an effective date.

By the Committees on Judiciary; and Agriculture; and 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.

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

CS for SB 1190—A bill to be entitled An act relating to family law; providing legislative findings; creating Part III of ch. 61, F.S., entitled the “Collaborative Law Act”; creating s. 61.55, F.S.; declaring the purpose of the act; creating s. 61.56, F.S.; defining terms; creating s. 61.57, F.S.; declaring that a collaborative law process commences when the parties enter into a collaborative law participation agreement; providing that a tribunal may not order a party to participate in a collaborative law

process over the party’s objection; providing conditions under which a collaborative law process is concluded; creating s. 61.58, F.S.; providing for confidentiality of communications made during the collaborative law process; providing exceptions; providing that the effective date of specified provisions are contingent upon approval and publication of Florida Supreme Court rules governing specified subjects; providing effective dates.

By the Committee on Health Policy; and Senator Bean—

CS for SB 1212—A bill to be entitled An act relating to behavior analysts; creating ch. 470, F.S.; entitling the chapter; creating s. 470.40, F.S.; providing a purpose; creating s. 470.41, F.S.; defining terms; creating s. 470.415, F.S.; creating the Board of Applied Behavior Analysis; creating s. 470.42, F.S.; specifying the authority and duties of the board; creating s. 470.43, F.S.; providing requirements for licensure and renewal; creating s. 470.44, F.S.; establishing maximum fees for applications, initial licenses, and license renewals; providing for the deposit of funds; creating s. 470.45, F.S.; providing grounds for disciplinary action by the board; creating s. 470.46, F.S.; providing penalties for practicing applied behavior analysis without a license or wrongfully identifying oneself as a licensed behavior analyst; creating s. 470.47, F.S.; providing exceptions to applicability of the chapter; amending s. 20.43, F.S.; making the Division of Medical Quality Assurance within the Department of Health responsible for the board; amending s. 456.001, F.S.; including licensed behavior analysts and licensed assistant behavior analysts in the definition of “health care practitioner”; amending s. 456.0135, F.S.; requiring an applicant for licensure under ch. 470, F.S., to submit to certain fingerprinting requirements; providing an effective date.

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

CS for CS for SB 1254—A bill to be entitled An act relating to health care services; amending ss. 390.012, 400.021, 400.0712, 400.23, 400.487, 400.497, 400.506, 400.509, 400.6095, 400.914, 400.935, 400.962, 400.967, 400.980, 409.912, 429.255, 429.73, 440.102, 483.245, 765.541, and 765.544, F.S.; removing certain rulemaking authority relating to the disposal of fetal remains by abortion clinics, nursing home equipment and furnishings, license applications for nursing home facilities, evaluation of nursing home facilities, home health agencies and cardiopulmonary resuscitation, home health agency standards, nurse registry emergency management plans, registration of certain service providers, hospice and cardiopulmonary resuscitation, standards for prescribed pediatric extended care facilities, minimum standards relating to home medical equipment providers, standards for intermediate care facilities for the developmentally disabled, rules and the classification of deficiencies for intermediate care facilities for the developmentally disabled, the registration of health care service pools, participation in a Medicaid provider lock-in program, assisted living facilities and cardiopulmonary resuscitation, adult family-care homes and cardiopulmonary resuscitation, guidelines for drug-free workplace laboratories, penalties for rebates, standards for organ procurement organizations; administrative penalties for violations of the organ and tissue donor education and procurement program; amending s. 395.003, F.S.; revising provisions relating to the provision of cardiovascular services by a hospital; amending s. 400.474, F.S.; revising the report requirements for home health agencies; creating s. 400.9141, F.S.; limiting services at PPEC centers; amending s. 400.934, F.S., relating to home medical equipment providers; requiring that the emergency management plan include criteria relating to the maintenance of patient equipment and supply lists; amending s. 409.962, F.S.; redefining the term “provider service network”; amending s. 409.972, F.S.; exempting certain people from the requirement to enroll in Medicaid managed care; amending s. 409.974, F.S.; providing for contracting with eligible plans; revising provisions relating to negotiation with a provider service network; providing requirements for termination of a contract with a provider service network; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senators Montford and Garcia—

CS for SB 1266—A bill to be entitled An act relating to the state employees’ prescription drug program; reenacting and amending s.

110.12315(2), F.S., relating to the state employees' prescription drug program; establishing a 90-day supply limit for retail and mail order prescription drug purchases for maintenance drugs; specifying that reimbursement for retail and mail orders may not exceed a certain amount; removing a provision authorizing the Department of Management Services to implement a 90-day supply limit program under specified circumstances; revising the pharmacy dispensing fee; authorizing a retail pharmacy to fill a 90-day supply of certain drugs; repealing s. 54(1), ch. 2013-41, Laws of Florida, providing for the reversion of provisions relating to the state employees' prescription drug program; providing an effective date.

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

CS for SB 1328—A bill to be entitled An act relating to inspectors general; amending s. 14.32, F.S.; requiring that the Chief Inspector General be confirmed by the Senate; requiring the Chief Inspector General to provide independent legal counsel for specified state agencies; amending s. 20.055, F.S.; revising provisions relating to the duties, appointment, and removal of agency inspectors general; updating a cross-reference; providing an effective date.

By the Committee on Community Affairs; and Senator Hays—

CS for SB 1382—A bill to be entitled An act relating to hazardous walking conditions; amending s. 1006.23, F.S.; revising criteria that determine a hazardous walking condition for public school students; revising procedures for inspection and identification of hazardous walking conditions; authorizing an administrative proceeding in certain instances; authorizing a district school superintendent to initiate a formal request for correction of a hazardous walking condition under certain circumstances; requiring a district school board to provide transportation to students who would be subjected to hazardous walking conditions; requiring state or local governmental entities with jurisdiction over a road with a hazardous walking condition to correct the condition within a reasonable period of time; providing requirements for a governmental entity relating to its capital improvements program; providing requirements relating to a civil action for damages; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Flores and Bullard—

CS for SB 1436—A bill to be entitled An act relating to public records; amending s. 409.1678, F.S.; providing an exemption from public records requirements for information about the location of safe houses and safe foster homes held by an agency; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

CS for SB 1440—A bill to be entitled An act relating to human trafficking; amending s. 450.021, F.S.; prohibiting the employment of minors in adult theaters; amending s. 450.045, F.S.; requiring adult theaters to verify the ages of employees and independent contractors and maintain specified documentation; amending s. 775.15, F.S.; eliminating the statute of limitations for prosecutions under a specified human trafficking provision; providing applicability; amending s. 787.06, F.S.; revising and providing penalties for various human trafficking offenses against minors and adults; amending s. 775.082, F.S.; providing a life sentence for a specified felony; creating s. 796.001, F.S.; providing legislative intent concerning prosecutions of certain offenses by adults involving minors; repealing ss. 796.03, 796.035, and 796.036, F.S., relating to procuring a person under the age of 18 for prostitution, selling or buying of minors into prostitution, and reclassification of certain violations involving minors, respectively; amending ss. 796.05 and 796.07, F.S.; revising and providing penalties for various prostitution offenses; amending s. 943.0583, F.S.; providing for expunction of criminal history records of certain criminal charges against victims of human trafficking that did not result in convictions; requiring destruction of investigative records related to such expunged records; amending s. 921.0022, F.S.;

conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; amending ss. 39.01, 90.404, 772.102, 775.0877, 775.21, 787.01, 787.02, 794.056, 856.022, 895.02, 938.085, 938.10, 943.0435, 943.0585, 943.059, 944.606, 944.607, 948.013, and 948.32, F.S.; conforming cross-references; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Community Affairs; and Senator Bradley—

CS for CS for SB 1442—A bill to be entitled An act relating to publicly funded retirement programs; amending s. 175.041, F.S.; revising applicability of the Marvin B. Clayton Firefighters Pension Trust Fund Act; providing that any municipality that provides fire protection services to a municipal services taxing unit under an interlocal agreement is eligible to receive property insurance premium taxes; amending s. 175.101, F.S.; authorizing a municipal services taxing unit that enters into an interlocal agreement for fire protection services with another municipality to impose an excise tax on property insurance premiums; amending s. 175.111, F.S.; requiring municipal services taxing units to provide the Division of Retirement of the Department of Management Services with a certified copy of the ordinance assessing and imposing certain taxes; amending ss. 175.122 and 175.351, F.S.; revising provisions relating to the limitation of disbursement to conform to changes made by the act; amending s. 175.411, F.S.; authorizing a municipal services taxing unit, under certain conditions, to revoke its participation and cease to receive property insurance premium taxes; providing an effective date.

By the Committee on Health Policy; and Senator Thompson—

CS for SB 1470—A bill to be entitled An act relating to HIV testing; amending s. 381.004, F.S.; revising and adding definitions; differentiating between the notification and consent procedures for performing an HIV test in a health care setting and a nonhealth care setting; amending s. 456.032, F.S.; conforming a cross-reference; providing an effective date.

By the Committees on Community Affairs; and Ethics and Elections; and Senator Abruzzo—

CS for CS for SB 1474—A bill to be entitled An act relating to public officers and employees; amending s. 112.326, F.S.; authorizing the electors of a political subdivision to impose additional or more stringent standards of conduct and disclosure requirements upon the political subdivision's officers and employees; providing that a respondent is entitled to a public hearing upon a finding of probable cause of a violation of a local ethics ordinance; requiring a local ethics ordinance to establish certain procedures; providing for construction; providing an effective date.

By the Committees on Rules; and Commerce and Tourism; and 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.

By the Committee on Judiciary; and Senator Thrasher—

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 Committees on Agriculture; and Environmental Preservation and Conservation; and Senators Dean, Montford, Soto, Simmons, Hays, Altman, and Abruzzo—

CS for CS for SB 1576—A bill to be entitled An act relating to springs; amending s. 201.15, F.S.; specifying distributions to the Ecosystem Management and Restoration Trust Fund; amending s. 373.042, F.S.; requiring the Department of Environmental Protection or the governing board of a water management district to establish the minimum flow and water level for an Outstanding Florida Spring; specifying minimum flows and water levels for an Outstanding Florida Spring; amending s. 373.0421, F.S.; conforming a cross-reference; creating part VIII of chapter 373, F.S., entitled “Florida Springs and Aquifer Protection Act”; creating s. 373.801, F.S.; providing legislative findings and intent; creating s. 373.802, F.S.; defining terms; creating s. 373.803, F.S.; requiring the Department of Environmental Protection to delineate the spring protection and management zone for each Outstanding Florida Spring; requiring the department to adopt by rule maps that depict the delineation of each spring protection and management zone for each Outstanding Florida Spring; creating s. 373.805, F.S.; requiring the water management districts to adopt minimum flows and levels for Outstanding Florida Springs; requiring a water management district to implement a recovery or prevention strategy under certain circumstances; authorizing the water management districts to adopt rules; creating s. 373.807, F.S.; providing procedures for improving water quality in Outstanding Florida Springs; requiring the Department of Environmental Protection to develop a spring action plan; providing requirements; creating s. 373.808, F.S.; providing for funding mechanisms for the restoration of Outstanding Florida Springs; prohibiting a project from being funded under this part unless it is listed on a spring action plan; creating s. 373.809, F.S.; specifying prohibited activities within a spring protection and management zone of an Outstanding Florida Spring; creating s. 373.811, F.S.; providing rulemaking authority; creating s. 373.813, F.S.; providing for variances and exemptions under certain circumstances; amending s. 381.0065, F.S.; defining the term “responsible management entity”; requiring the Department of Health to submit a report to the Governor and the Legislature on responsible management entities; authorizing the establishment of responsible management entities; repealing s. 381.00651, F.S., relating to periodic evaluation and assessment of onsite sewage treatment and disposal systems; requiring the Department of Agriculture and Consumer Services and the Department of Environmental Protection to conduct a comprehensive study on nutrient reduction improvements and the expansion of the beneficial use of reclaimed water; requiring the departments to jointly hold a public meeting to gather input on the design of the comprehensive study and provide an opportunity for public comment; requiring the final report to be submitted to the Governor and the Legislature by a certain date; providing for future expiration; providing effective dates.

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

CS for SB 1580—A bill to be entitled An act relating to the Workers’ Compensation Cost Task Force; amending s. 440.13, F.S.; creating the Workers’ Compensation Cost Task Force; providing for membership; providing duties; requiring the task force to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; providing an expiration date; providing an effective date.

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

CS for SB 1628—A bill to be entitled An act relating to government accountability; amending s. 11.45, F.S.; excluding water management districts from certain audit requirements; expanding certain audit provisions to include district school boards; amending ss. 20.05, 25.382, 28.35, 43.16, 218.33, and 1002.33, F.S.; revising the responsibilities of a department head, the Justice Administrative Commission, a state attorney, a public defender, a criminal conflict and civil regional counsel, a capital collateral counsel, the guardian ad litem program, the State Supreme Court as it relates to the state courts system, the Florida Clerks of Court Operations Corporation, a local governmental entity, and the governing body of a charter school to include the responsibility of establishing certain internal controls; amending s. 20.055, F.S.; revising the definition of the term “agency head”; amending s. 215.985, F.S.; specifying requirements for a monthly financial statement provided by a water management district; amending s. 373.536, F.S.; removing an obsolete provision; amending s. 1001.42, F.S.; revising the responsibilities of a district school board’s internal auditor to perform certain audits and reviews; amending s. 1010.01, F.S.; requiring each Florida College System institution to file certain annual financial statements with the State Board of Education; requiring each school district, Florida College System institution, and state university to establish certain internal controls; providing that the act fulfills an important state interest; providing an effective date.

By the Committees on Community Affairs; and Ethics and Elections; and Senator Stargel—

CS for CS for SB 1632—A bill to be entitled An act relating to special districts; designating parts I-VIII of chapter 189, F.S., relating to special districts; amending s. 11.40, F.S.; revising duties of the Legislative Auditing Committee; amending s. 112.312, F.S.; redefining the term “agency” as it applies to the code of ethics for public officers and employees to include special districts; creating s. 112.511, F.S.; specifying applicability of procedures regarding suspension and removal of a member of the governing body of a special district; amending s. 125.901, F.S.; revising governing body membership for independent special districts created to provide funding for children’s services; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 189.401, F.S.; revising a short title; transferring, renumbering, and amending s. 189.402, F.S.; revising a statement of legislative purpose and intent; making technical changes; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 189.403, F.S.; redefining the term “special district”; transferring, renumbering, and amending ss. 189.4031, 189.4035, 189.404, 189.40401, 189.4041, and 189.4042, F.S.; deleting provisions relating to the application of a special district to amend its charter; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 189.4044, F.S.; revising the circumstances under which the Department of Economic Opportunity may declare a special district inactive; requiring the department to provide notice of a declaration of inactive status to certain persons and bodies; prohibiting special districts that are declared inactive from collecting taxes, fees, or assessments; providing exceptions; providing for enforcement of the prohibition; providing for costs of litigation and reasonable attorney fees in certain proceedings; transferring and renumbering ss. 189.4045 and 189.4047, F.S.; transferring, renumbering, and amending s. 189.405, F.S.; revising requirements related to education programs for new members of special district governing bodies; amending s. 189.4051, F.S.; revising definitions; conforming provisions to changes made by the act; transferring and renumbering ss. 189.4065, 189.408, and 189.4085, F.S.; transferring, renumbering, and amending ss. 189.412 and 189.413, F.S.; renaming the Special District Information Program the Special District Accountability Program; revising duties of the Special District Accountability Program; transferring and renumbering ss. 189.415, 189.4155, and 189.4156, F.S.; transferring, renumbering, and amending ss. 189.416, 189.417, and 189.418, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 189.419, F.S.; revising provisions related to the failure of a special district to file certain reports or information; conforming provisions to changes made by the act; transferring and renumbering s. 189.420, F.S.; transferring,

renumbering, and amending s. 189.421, F.S.; revising notification requirements for special districts that fail to file certain reports; revising available remedies for the failure of a special district to disclose required financial reports; transferring and renumbering ss. 189.4221, 189.423, and 189.425, F.S.; transferring, renumbering, and amending s. 189.427, F.S.; providing for the deposit of administration fees into the Operating Trust Fund rather than the Grants and Donations Trust Fund; transferring, renumbering, and amending s. 189.428, F.S.; revising the oversight review process for special districts; transferring and renumbering s. 189.429, F.S.; repealing ss. 189.430, 189.431, 189.432, 189.433, 189.434, 189.435, 189.436, 189.437, 189.438, 189.439, 189.440, 189.441, 189.442, 189.443, and 189.444, F.S., relating to the Community Improvement Authority Act; creating ss. 189.034 and 189.035, F.S.; providing applicability; requiring the Legislative Auditing Committee to provide notice of the failure of special districts to file certain required reports and requested information to certain persons and bodies; authorizing the Legislative Auditing Committee and the chair or equivalent of a local general-purpose government to convene a public hearing on the issue of a special district's noncompliance and general oversight of the special district; requiring a special district to provide certain information to the Legislative Auditing Committee before a public hearing upon request; authorizing a local general-purpose government to request certain information from a special district created by local ordinance before a public hearing; requiring a local general-purpose government to report the findings of a public hearing to the department and the Legislative Auditing Committee; creating s. 189.055, F.S.; requiring special districts to be treated as municipalities for certain purposes; creating s. 189.069, F.S.; requiring special districts to establish and maintain an official website for certain information; requiring special districts to submit the web address of their respective websites to the department; requiring that the department's online list of special districts include a link to the website of certain special districts; amending ss. 11.45, 100.011, 101.657, 112.061, 112.63, 112.665, 121.021, 121.051, 153.94, 163.08, 165.031, 165.0615, 171.202, 175.032, 190.011, 190.046, 190.049, 191.003, 191.005, 191.013, 191.014, 191.015, 200.001, 218.31, 218.32, 218.37, 255.20, 298.225, 343.922, 348.0004, 373.711, 403.0891, 582.32, and 1013.355, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Communications, Energy, and Public Utilities; and Health Policy—

CS for SB 1646—A bill to be entitled An act relating to telemedicine; creating s. 456.4501, F.S.; providing a short title; creating s. 456.4502, F.S.; defining terms applicable to the act; creating s. 456.4503, F.S.; requiring specified practitioners providing telemedicine services to patients in this state to be licensed in this state; providing certain exceptions for emergency services and consultations; authorizing nonFlorida licensed physicians to meet alternative requirements; requiring pertinent records to be made available upon request; requiring other health care providers to be supervised by a telemedicine provider; providing continuing education requirements for telemedicine providers; establishing venue; providing applicability; authorizing the licensing boards to adopt rules; creating s. 456.4504, F.S.; providing standards and prohibitions for the provision of telemedicine services; prohibiting nonemergency prescribing of a legend drug without a physical examination; prohibiting the prescription of a controlled substance for chronic nonmalignant pain using telemedicine; creating s. 456.4505, F.S.; authorizing the use of telemedicine services in the diagnosis and treatment of the human eye; providing requirements for the use of automated equipment; requiring the owner or lessee of the automated equipment to maintain specified liability insurance under certain circumstances; prohibiting prescriptions for spectacles or contact lens based solely on the use of an autorefractor; creating s. 456.4506, F.S.; providing requirements for reimbursement of telemedicine services under the Medicaid program; requiring a report to the Legislature on the usage and costs of telemedicine in Medicaid by a certain date; providing for future repeal; amending s. 409.967, F.S.; prohibiting a managed care plan under Medicaid from using telemedicine providers that are not physicians; amending ss. 627.645 and 641.185, F.S.; prohibiting the denial of a claim for payment for medical services based on a medical necessity

determination conducted via telemedicine unless the determination is made by a physician; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **CS for SB 156**, which he approved on April 2, 2014.

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 91, HB 231, HB 427, HB 513, CS for HB 591, CS for HB 731; has passed as amended CS for CS for HB 271, CS for CS for HB 321, CS for HB 537, CS for HB 7035 and requests the concurrence of the Senate; and has passed HB 5601 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

By Health & Human Services Committee and Representative(s) Roberson, K.—

CS for HB 91—A bill to be entitled An act relating to the state ombudsman program; amending s. 400.0060, F.S.; revising and providing definitions; amending s. 400.0061, F.S.; revising legislative intent with respect to citizen ombudsmen; deleting references to ombudsman councils and transferring their responsibilities to representatives of the Office of State Long-Term Care Ombudsman; amending s. 400.0063, F.S.; revising duties of the office; amending s. 400.0065, F.S.; revising the purpose of the office; revising the duties and authority of the state ombudsman; requiring the state ombudsman to submit an annual report to the Governor, the Legislature, and specified agencies and entities; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; amending s. 400.0069, F.S.; requiring the state ombudsman to designate and direct program districts; providing duties of representatives of the office in the districts; revising the appointments of and qualifications for district ombudsmen; prohibiting certain individuals from serving as ombudsmen; deleting provisions that provide for an election of a chair of a local council and the meeting times for the local council; amending s. 400.0070, F.S.; providing conditions under which a representative of the office could be found to have a conflict of interest; requiring the Department of Elderly Affairs, in consultation with the state ombudsman, to define by rule what constitutes a conflict of interest; amending s. 400.0071, F.S.; requiring the department to consult with the state ombudsman to adopt rules pertaining to complaint procedures; amending s. 400.0073, F.S.; providing procedures for investigation of complaints; amending s. 400.0074, F.S.; revising procedures for conducting onsite administrative assessments; authorizing the department to adopt rules; amending s. 400.0075, F.S.; revising complaint notification and resolution procedures; amending s. 400.0078, F.S.; providing for a resident or representative of a resident to receive additional information regarding resident rights; amending s. 400.0079, F.S.; providing immunity from liability for a representative of the office under certain circumstances; amending s. 400.0081, F.S.; requiring long-term care facilities to provide representatives of the office with access to facilities, residents, and records for certain purposes; amending s. 400.0083, F.S.; conforming provisions to changes made by the act; amending s. 400.0087, F.S.; providing for the office to coordinate ombudsman services with Disability Rights Florida; amending s. 400.0089, F.S.; conforming provisions to changes made by the act; amending s. 400.0091, F.S.; revising training requirements for representatives of the office and ombudsmen; amending ss. 20.41, 400.021, 400.022, 400.0255, 400.1413, 400.162, 400.19, 400.191, 400.23, 400.235, 415.102, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.02, 429.07, 429.19, 429.26, 429.28, 429.34, 429.35, 429.67, 429.85, and 744.444, F.S.;

conforming provisions to changes made by the act; providing an effective date.

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

By Representative(s) Brodeur, Caldwell, Stewart—

HB 231—A bill to be entitled An act relating to the admissions tax; amending s. 212.04, F.S.; revising the professional sporting events that are exempt from the admissions tax; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Representative(s) McBurney, Hudson—

HB 427—A bill to be entitled An act relating to traveling across county lines to commit felony offenses; creating s. 843.22, F.S.; providing definitions; prohibiting a person who resides in this state from crossing a county boundary with the intent to commit certain felony offenses in a county other than that of his or her residence; providing criminal penalties; amending s. 903.046, F.S.; providing that such an alleged violation may be considered as a factor in determining whether to release a defendant on bail or other conditions; providing an effective date.

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

By Representative(s) Raulerson, Ahern, Saunders, Schwartz—

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.

—was referred to the Committees on Governmental Oversight and Accountability; Education; and Rules.

By Health & Human Services Committee and Representative(s) Harrell—

CS for HB 591—A bill to be entitled An act relating to newborn health screening; amending s. 383.14, F.S.; authorizing the State Public Health Laboratory to release the results of a newborn's hearing and metabolic tests or screenings to the newborn's health care practitioner; defining the term "health care practitioner" as it relates to such release; amending s. 383.145, F.S.; updating a reference; creating s. 383.146, F.S.; requiring an audiologist to provide an opportunity for the parent or legal guardian of an infant or toddler who is diagnosed with a permanent hearing impairment to provide contact information so that he or she may receive information directly from specified service providers; requiring the Department of Health to post on its website a list of certain service providers and institutions; requiring the audiologist to transmit a consent form to such providers; providing an effective date.

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

By Government Operations Appropriations Subcommittee and Representative(s) Hood, Ahern, Albritton, Baxley, Bileca, Brodeur, Broxson, Caldwell, Campbell, Clarke-Reed, Clelland, Corcoran, Cruz, Cummings, Dudley, Fitzenhagen, Gaetz, Gibbons, Goodson, Hooper, Magar, Mayfield, Metz, Moraitis, Murphy, Nuñez, Perry, Peters, Pilon, Porter, Rangel, Raschein, Renuart, Rodrigues, R., Rooney, Santiago, Smith, Spano, Stewart, Stone, Van Zant, Williams, A., Zimmermann—

CS for HB 731—A bill to be entitled An act relating to the POW-MIA Chair of Honor Memorial; 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 designate an area of the Capitol Complex for the memorial; requiring the department to consult with the Department of Veterans' Affairs and the Florida chapters of Rolling Thunder, Inc., regarding specific aspects of the memorial; providing an effective date.

—was referred to the Committees on Military and Veterans Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Rules.

By Regulatory Affairs Committee, Government Operations Appropriations Subcommittee and Representative(s) Cummings, Broxson—

CS for CS for HB 271—A bill to be entitled An act relating to workers' compensation; amending s. 440.107, F.S.; revising powers of the Department of Financial Services relating to compliance with and enforcement of workers' compensation coverage requirements; providing for stop-work order information to be available on the Division of Workers' Compensation's website; revising requirements for the release of stop-work orders; revising penalties; amending ss. 440.15 and 440.16, F.S.; revising rate formulas related to the determination of compensation for disability and death; amending s. 440.49, F.S.; revising provisions relating to the assessment rate of the Special Disability Trust Fund; reducing the assessment rate limitation; providing an effective date.

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

By Government Operations Appropriations Subcommittee, Insurance & Banking Subcommittee and Representative(s) Passidomo, Moraitis, Cummings, Wood—

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 referred to the Committees on Banking and Insurance; Judiciary; and Commerce and Tourism.

By Transportation & Highway Safety Subcommittee and Representative(s) Beshears, Broxson, Mayfield, Smith—

CS for HB 537—A bill to be entitled An act relating to the Commercial Motor Vehicle Review Board; amending s. 316.545, F.S.; revising membership of the board; providing for appointment of additional members by the Governor and the Commissioner of Agriculture; providing for terms of the additional members; providing qualifications for such members; providing for removal of members by the Governor under certain circumstances; providing for action by a quorum of the board; requiring that the additional appointments be made by a specified date; providing effective dates.

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

By Judiciary Committee, Criminal Justice Subcommittee and Representative(s) Grant—

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.

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

By Finance & Tax Subcommittee and Representative(s) Workman, Renuart—

HB 5601—A bill to be entitled An act relating to economic development; amending s. 202.11, F.S.; revising the definition of "prepaid calling arrangement"; providing for retroactive applicability and construction; amending s. 203.01, F.S.; imposing an additional rate on gross receipts for electrical power or energy; revising exemptions from the tax on gross receipts for utility and communications services; providing exemptions from the additional tax on gross receipts from electrical power or energy; requiring the additional tax to be excluded from the taxable base on which gross receipts are calculated under certain circumstances; amending s. 212.05, F.S.; revising the definition of "prepaid calling arrangement" to clarify and update which services are included under the definition and subject to sales tax; reducing the sales tax rate for charges for electrical power or energy; providing for retroactive applicability and construction; amending s. 212.08, F.S.; extending the expiration date applicable to the granting of community contribution tax credits against the sales and use tax for contributions to eligible sponsors of community projects approved by the Department of Economic Opportunity; revising

a provision exempting certain machinery and equipment from the sales and use tax to exempt certain mixer drums and parts and labor required to affix certain mixer drums to mixer trucks from the sales and use tax; exempting sales of child restraint systems and booster seats for use in motor vehicles and youth bicycle helmets from the sales and use tax; amending s. 212.12, F.S.; conforming a provision to a change made by the act; amending s. 212.20, F.S.; requiring the Department of Revenue to distribute funds to the State Transportation Trust Fund for strategic and regionally significant transportation projects; amending s. 220.14, F.S.; increasing the amount of income that is exempt from the corporate income tax; providing applicability; amending s. 220.183, F.S.; extending the expiration date applicable to the granting of community contribution tax credits against the corporate income tax for contributions to eligible sponsors of community projects approved by the Department of Economic Opportunity; amending s. 220.63, F.S.; increasing the amount of income that is exempt from the franchise tax imposed on banks and savings associations; providing applicability; creating s. 288.127, F.S.; providing definitions; providing a purpose; creating the Qualified Television Loan Fund; requiring the Department of Economic Opportunity to contract with a fund administrator; providing fund administrator qualifications; providing for the fund administrator's compensation and removal; specifying the fund administrator powers and duties; providing the structure of the loans; providing qualified television content criteria; requiring the Auditor General to conduct an operational audit of the fund and the fund administrator; authorizing the department to adopt rules; providing for expiration of the act; providing emergency rule-making authority; amending s. 288.9914, F.S.; revising limits on tax credits that may be approved by the Department of Economic Opportunity under the New Markets Development Program; creating s. 339.0803, F.S.; requiring a specified amount of funds deposited into the State Transportation Trust Fund to be used annually for strategic and regionally significant transportation projects; amending s. 624.5105, F.S.; extending the expiration date applicable to the granting of community contribution tax credits against the insurance premium tax for contributions to eligible sponsors of community projects approved by the Department of Economic Opportunity; providing for a sales tax holiday for certain Energy Star and WaterSense products; providing restrictions; providing definitions; authorizing the Department of Revenue to adopt emergency rules; providing that the admissions tax may not be levied on the sale of athletic, exercise, and physical fitness facility memberships by certain health studios during a specified period; authorizing the Department of Revenue to adopt emergency rules; specifying a period during which the sale of clothing, wallets, bags, school supplies, personal computers, and personal computer-related accessories are exempt from the sales tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an exemption from the sales and use tax for sales during a specified period of certain tangible personal property related to hurricane preparedness; authorizing the Department of Revenue to adopt emergency rules; providing appropriations; providing an effective date.

—was referred to the Committee on Appropriations.

RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed SB 678, SB 686, SB 932, SB 934, SB 936, SB 938, SB 940 and SB 942; passed SB 676, SB 680, SB 682, SB 684 and SB 688 by the required constitutional three-fifths vote of the membership of the House.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 1 was corrected and approved.

CO-INTRODUCERS

Senators Altman—SB 448; Bean—CS for CS for SB 722; Braynon—CS for SB 958; Bullard—SB 1640; Hays—SB 448; Joyner—SB 920; Sobel—SB 592; Soto—SB 478, SB 1322, SB 1640; Stargel—SB 1206

ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 5:56 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Friday, April 11 or upon call of the President.