



Journal of the Senate

Number 6—Regular Session

Thursday, March 19, 1998

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CALL TO ORDER

The Senate was called to order by President Jennings at 9:00 a.m. A quorum present—37:

Madam President	Crist	Jones	Rossin
Bankhead	Dudley	Kirkpatrick	Scott
Bronson	Dyer	Klein	Silver
Brown-Waite	Forman	Kurth	Sullivan
Burt	Geller	Latvala	Thomas
Campbell	Grant	Laurent	Turner
Casas	Hargrett	Lee	Williams
Childers	Harris	Meadows	
Clary	Holzendorf	Myers	
Cowin	Horne	Ostalkiewicz	

PRAYER

The following prayer was offered by Rev. Robert Walker, Pastor, First Baptist Church, Crawfordville:

We pause this morning in thanksgiving for:

- Pristine beaches and primeval swamps, international cities and unincorporated towns;
- For wetlands and farms, airports and harbors;
- For forests green and sandbottom lakes, hospitals, nursing homes, schools and universities;
- For Spanish moss and manatees, cathedrals, synagogues, mosques, churches and temples;
- For diversity among our people and cultures, ideologies and politics;
- For harmony and balance in nature, and among those with the wisdom to rise above self.

We remember this morning those who are:

- Sick and those who care for them;
- Those who are learning and those who teach them;
- Those in crisis and those who lend aid;
- Those who are incarcerated and those who sustain them;
- Those who are hungry and those who will feed them;
- Those who need governance and these who have opportunity to govern.

We ask this morning for:

Discernment in matters that seem unclear;
 Humility to act as servants;
 Courage to stand alone if conscience dictates;
 Vision to lead proactively;
 Integrity that frees us to focus on the relevant;
 Collaboration for the common good.

Amen.

PLEDGE

Senate Pages Tim Koerper of Brandon and Charity Williams of LaBelle, granddaughter of Senator Williams, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Bankhead—

By Senator Bankhead—

SR 2366—A resolution recognizing a distinguished delegation of Russians from St. Petersburg, Russia, visiting St. Petersburg, Florida, and our Capital City.

WHEREAS, former Governor Bob Martinez and Mr. Don Brophy, President and CEO of the DRB Group of St. Petersburg, Florida, have brought a distinguished delegation from St. Petersburg, Russia, for the purpose of visiting modern healthcare facilities in Florida, and

WHEREAS, the delegation, which has come here to foster trust among government and business leaders in the United States and Russia, consists of Mr. Oleg Sergejev, who is a member of the Duma, the legislature of St. Petersburg, Russia, and Chair of its Health Committee; Mr. Yury Petrov, who is Chair of the St. Petersburg City Health Committee for International Business; Mr. Boris Taits, who is First Deputy of the St. Petersburg City Health Committee; and Mr. Vladimir Y. Shneiderman, who is President and CEO of Med Express, and

WHEREAS, the DRB Group of St. Petersburg, Florida, has a letter of engagement to reform the St. Petersburg, Russia, healthcare system, and, while in the Tampa Bay area, the delegation will meet with health officials at the University of South Florida and Tampa General Hospital, and

WHEREAS, the delegation's visit will strengthen the sisters' city program between St. Petersburg, Russia, and St. Petersburg, Florida; will increase international trade between our countries; and will give the delegation an opportunity to observe how Florida's public institutions function and serve the public, NOW, THEREFORE,

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

That the Florida Senate commends the Russian delegation and the DRB Group for its exemplary efforts to expand international trade and bring better healthcare to the people of St. Petersburg, Russia.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to each member of the Russian delegation as a tangible token of the sentiments and good wishes of the Florida Senate.

—**SR 2366** was introduced, read and adopted by publication.

SPECIAL GUESTS

The President recognized the delegation from St. Petersburg, Russia, together with former Governor Bob Martinez, who were present in the gallery.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Hargrett, the rules were waived and the Committee on Transportation was granted permission to remove SB 1242 and SB 1492 from the agenda at the meeting on March 23.

On motion by Senator Harris, the rules were waived and the Committee on Commerce and Economic Opportunities was granted permission to remove SB 148 from the agenda and to add SB 1760 to the agenda at the meeting on March 23.

MOTIONS

On motion by Senator Bankhead, a deadline of 5:00 p.m. this day was set for filing amendments to Bills on Third Reading to be considered Friday, March 20.

CONSIDERATION OF BILLS ON THIRD READING

Consideration of SB 768 was deferred.

SB 734—A bill to be entitled An act relating to petroleum fuel measuring devices; amending s. 525.07, F.S.; providing for the repair and adjustment of such devices by meter mechanics; providing for notification of the Department of Agriculture and Consumer Services; providing an effective date.

—as amended March 18 was read the third time by title.

On motions by Senator Bronson, SB 734 as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Table with 4 columns: Madam President, Bronson, Burt, Campbell, Casas, Childers, Clary, Cowin, Dudley, Dyer, Forman, Geller, Grant, Harris, Holzendorf, Horne, Jones, Kirkpatrick, Klein, Kurth, Latvala, Laurent, Lee, Meadows, Myers, Ostalkiewicz, Rossin, Scott, Silver, Sullivan, Thomas, Turner, Williams

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Gutman, Hargrett, McKay

Consideration of SB 770 was deferred.

CS for SB 1052—A bill to be entitled An act relating to rulemaking authority of the Florida Public Service Commission (RAB); authorizing the Florida Public Service Commission to adopt rules relating to purchasing, to ensuring adequate ownership or continued use of real property upon which water and wastewater treatment facilities are located, and to notification when a water and wastewater utility changes its name; providing an effective date.

—was read the third time by title.

On motions by Senator Lee, CS for SB 1052 was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Table with 4 columns: Madam President, Bronson, Burt, Campbell, Casas, Childers, Clary, Cowin, Crist, Dudley, Dyer, Forman, Geller, Grant, Harris, Holzendorf, Horne, Jones, Kirkpatrick, Klein, Kurth, Latvala, Laurent, Lee, Meadows, Myers, Ostalkiewicz, Rossin, Scott, Silver, Sullivan, Thomas, Turner, Williams

Nays—None

Vote after roll call:

Yea—Brown-Waite, Diaz-Balart, Gutman, Hargrett, McKay

Consideration of CS for SB 1054 was deferred.

CS for SB 1164—A bill to be entitled An act relating to rulemaking authority with respect to professional regulation (RAB); amending s. 475.17, F.S.; authorizing the Florida Real Estate Commission to adopt rules requiring written evidence to establish good character; amending s. 475.25, F.S.; authorizing the Florida Real Estate Commission to adopt rules concerning the advertising of property or services and extending certain time limits for licensees on probation; amending s. 489.115, F.S.; providing for the adoption of rules relating to continuing education requirements by the Construction Industry Licensing Board; amending s. 489.1195, F.S.; authorizing the Construction Industry Licensing Board to adopt rules defining the qualifications for financially responsible officers; amending s. 492.105, F.S.; authorizing the Board of Professional Geologists to determine acceptable geology education; providing an effective date.

—was read the third time by title.

On motions by Senator Clary, CS for SB 1164 was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

Table with 4 columns: Madam President, Bronson, Burt, Campbell, Casas, Childers, Clary, Cowin, Dudley, Dyer, Forman, Geller, Grant, Hargrett, Harris, Holzendorf, Horne, Jones, Kirkpatrick, Klein, Kurth, Latvala, Laurent, Lee, Meadows, Myers, Ostalkiewicz, Rossin, Silver, Sullivan, Thomas, Turner, Williams

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Gutman, McKay

CS for SB 486—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 20.201, F.S.; providing additional authority for the executive director of the department with respect to the organization of the department; providing for the department to be reorganized into specified programs; deleting the division structure of the department; amending s. 943.01, F.S.; revising the title of ch. 943, F.S.; amending s. 943.03, F.S., relating to department employees; conforming provisions to changes made by the act; deleting obsolete provisions; requiring the department to develop and maintain an information system; amending s. 943.04, F.S.; redesignating the Division of Criminal Investigation within the department as the Criminal Justice Investigations and Forensic Science Program; providing for supervision of the program; providing additional duties of the department with respect to the operation of the program; amending s. 943.05, F.S.; redesignating the Division of Criminal Justice Information Systems within the department as the Criminal Justice Information Program; providing for supervision of the program; amending s. 943.051, F.S., relating to criminal

justice information; conforming provisions to changes made by the act; authorizing the department to enter into contracts; providing that disclosure of confidential information pursuant to such a contract does not waive any requirements of confidentiality; amending s. 943.0515, F.S., relating to criminal history records of minors; conforming provisions to changes made by the act; amending s. 943.052, F.S.; deleting a requirement that certain agencies inform the department of persons incarcerated or released from jail; amending ss. 943.0525, 943.053, 943.055, 943.056, 943.057, 943.08, F.S., relating to criminal justice information, criminal history records, and the Criminal and Juvenile Justice Information Systems Council; conforming provisions to changes made by the act; amending s. 943.09, F.S.; redesignating the Division of Criminal Justice Standards and Training within the department as the Criminal Justice Professionalism Program; providing for supervision of the program; amending ss. 943.10, 943.133, 943.17, 943.173, 943.25, F.S., relating to definitions, employment qualifications, training programs, examinations, and the Criminal Justice Standards and Training Trust Fund; conforming provisions to changes made by the act; amending s. 943.35, F.S.; deleting the eligibility for state funding for a criminal analysis laboratory; amending s. 938.07, F.S., relating to a fine imposed for driving under the influence; conforming provisions to changes made by the act; repealing ss. 943.26, 943.381, F.S., relating to the Division of Local Law Enforcement Assistance and the Division of Staff Services within the department; providing an effective date.

—was read the third time by title.

On motions by Senator Silver, **CS for SB 486** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Table with 4 columns: Madam President, Crist, Jones, Ostalkiewicz; Bankhead, Dudley, Kirkpatrick, Rossin; Bronson, Dyer, Klein, Scott; Brown-Waite, Forman, Kurth, Silver; Burt, Geller, Latvala, Sullivan; Campbell, Grant, Laurent, Thomas; Casas, Hargrett, Lee, Turner; Childers, Harris, McKay, Williams; Clary, Holzendorf, Meadows; Cowin, Horne, Myers.

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Gutman

SB 288—A bill to be entitled An act relating to rural hospitals; amending ss. 395.602 and 408.07, F.S.; revising the definition of "rural hospital" to increase the allowable number of licensed beds; amending s. 408.036, F.S.; exempting home health services provided by a rural hospital from certificate-of-need review by the Agency for Health Care Administration; amending s. 409.9116, F.S.; providing that rural hospitals designated on or after July 1, 1998, may not be included in the rural hospital disproportionate share or financial assistance programs unless additional appropriations are provided to prevent any reduction in payments to hospitals that are otherwise eligible for assistance; providing an effective date.

—as amended March 18 was read the third time by title.

On motions by Senator Thomas, **SB 288** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Table with 4 columns: Madam President, Clary, Hargrett, Latvala; Bankhead, Cowin, Harris, Laurent; Bronson, Crist, Holzendorf, McKay; Brown-Waite, Dudley, Horne, Meadows; Burt, Dyer, Jones, Myers; Campbell, Forman, Kirkpatrick, Ostalkiewicz; Casas, Geller, Klein, Rossin; Childers, Grant, Kurth, Scott.

Silver Thomas Turner Williams
Sullivan

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Gutman, Lee

CS for HB 1739—A bill to be entitled An act relating to poison control; amending s. 395.1027, F.S., and creating s. 401.268, F.S.; requiring each basic and advanced life support service and air ambulance service to develop and implement a prehospital emergency dispatch protocol with the appropriate regional poison control center; providing that the regional poison control centers shall assume responsibility and liability for calls transferred in accordance with the protocol; providing an effective date.

—was read the third time by title.

On motions by Senator Lee, **CS for HB 1739** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Table with 4 columns: Madam President, Crist, Kirkpatrick, Rossin; Bankhead, Dudley, Klein, Scott; Bronson, Forman, Kurth, Silver; Brown-Waite, Geller, Latvala, Sullivan; Burt, Grant, Laurent, Thomas; Campbell, Hargrett, Lee, Turner; Casas, Harris, McKay, Williams; Childers, Holzendorf, Meadows; Clary, Horne, Myers; Cowin, Jones, Ostalkiewicz.

Nays—None

Vote after roll call:

Yea—Gutman

CS for HB 1005—A bill to be entitled An act relating to the Statewide Provider and Subscriber Assistance Program; amending s. 408.7056, F.S.; providing definitions; revising criteria and procedures for review of grievances against a managed care entity by the statewide provider and subscriber assistance panel; providing for initial review by the Agency for Health Care Administration; providing time requirements for panel hearings and recommendations, and final orders of the agency or the Department of Insurance; providing for notice; providing requirements for expedited or emergency hearings; providing an exemption from the Administrative Procedures Act; providing for requests for patient records; authorizing an administrative fine for failure to timely provide records; providing for furnishing of evidence in opposition to panel recommendations; providing for adoption of panel recommendations in final orders of the agency or department; authorizing imposition of fines and sanctions; specifying conditions for rejection of panel recommendations; requiring certain notice to subscribers and providers of their right to file grievances; creating s. 408.7057, F.S.; providing for appeals; providing for attorney's fees and costs; amending s. 641.511, F.S.; correcting a cross reference; providing an appropriation; providing an effective date.

—as amended March 18 was read the third time by title.

On motions by Senator Brown-Waite, **CS for HB 1005** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Table with 4 columns: Madam President, Campbell, Crist, Grant; Bankhead, Casas, Dudley, Hargrett; Bronson, Childers, Dyer, Harris; Brown-Waite, Clary, Forman, Holzendorf; Burt, Cowin, Geller, Horne.

Jones	Laurent	Ostalkiewicz	Thomas
Kirkpatrick	Lee	Rossin	Turner
Klein	McKay	Scott	Williams
Kurth	Meadows	Silver	
Latvala	Myers	Sullivan	

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Gutman

HB 1991—A bill to be entitled An act relating to the mental health of children and adolescents; creating s. 394.490, F.S.; providing a short title; creating s. 394.491, F.S.; establishing guiding principles for the child and adolescent mental health treatment and support system; creating s. 394.492, F.S.; providing definitions; creating s. 394.493, F.S.; defining target populations for child and adolescent mental health services; providing for fees based on a sliding scale according to the family's income; creating s. 394.494, F.S.; providing general performance outcomes for the child and adolescent mental health treatment and support system; creating s. 394.495, F.S.; requiring that the Department of Children and Family Services establish the services to be provided to members of the target populations under the child and adolescent mental health treatment and support system; providing requirements for assessment services; requiring that the system include the local educational multiagency network for emotionally disturbed students; creating s. 394.496, F.S.; providing legislative intent with respect to service planning; providing requirements for services plans; creating s. 394.497, F.S.; specifying requirements for case management services; requiring the department to develop criteria to define the target populations who are assigned a case manager; establishing the Child and Adolescent Interagency System of Care Demonstration Models; specifying the goals and essential elements of the demonstration models; providing for the demonstration models to be governed by a multiagency consortium of state and county agencies; providing an exemption from certain budget and expenditure requirements; requiring that an oversight body be established to direct a demonstration model; requiring that a mechanism be developed for selecting the children and adolescents who are eligible to participate in a demonstration model; providing for pooled funding of the models; providing requirements for the care management entity that provides services for a demonstration model; requiring a mechanism for measuring compliance with the goals of the demonstration models; providing that in one demonstration model the consortium of purchasers may contract with a network of service providers using prospective payment mechanisms; requiring that a provider network be identified for each demonstration model; providing requirements for maintaining confidentiality of records; providing application requirements for designation as a demonstration model; requiring annual reports; providing for interagency collaboration; providing for independent evaluation of each demonstration model; requiring a report to the Legislature; requiring state agencies that participate in the demonstration models to adopt rules; authorizing the Agency for Health Care Administration to obtain certain federal waivers; requiring each service district of the Department of Children and Family Services to develop an implementation plan for an information and referral network; repealing ss. 394.50, 394.56, 394.57, 394.58, 394.59, 394.60, 394.61, 394.62, F.S., relating to children's residential and day treatment centers, voluntary and involuntary admission to such centers, and records, payment for care and treatment of patients, transfer of patients, discharge of voluntary patients, and age limits with regard to such centers; providing an effective date.

—was read the third time by title.

On motions by Senator Cowin, **HB 1991** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Madam President	Childers	Forman	Kirkpatrick
Bankhead	Clary	Geller	Klein
Bronson	Cowin	Grant	Kurth
Brown-Waite	Crist	Hargrett	Latvala
Burt	Diaz-Balart	Harris	Laurent
Campbell	Dudley	Horne	Lee
Casas	Dyer	Jones	McKay

Meadows	Rossin	Sullivan	Turner
Myers	Scott	Thomas	Williams
Ostalkiewicz	Silver		

Nays—None

Vote after roll call:

Yea—Gutman

CS for SB 1054—A bill to be entitled An act relating to rulemaking authority of the Department of Business and Professional Regulation (RAB); amending s. 718.104, F.S.; requiring notification; amending s. 718.112, F.S.; providing requirements relating to association meetings; amending s. 718.117, F.S.; requiring notification; amending s. 718.301, F.S.; providing rulemaking authority for requirements relating to the transition of a condominium; amending s. 718.403, F.S.; requiring filing of recording information; amending s. 718.502, F.S.; providing certain requirements prior to the closure on any contract for sale or lease of over 5 years; providing rulemaking authority for requirements relating to filing and review programs and timetables; amending s. 718.503, F.S.; providing requirements relating to the closure of a transaction for the purchase of a condominium unit; creating s. 718.621, F.S.; providing rulemaking authority for requirements relating to condominium conversion; providing an effective date.

—as amended March 18 was read the third time by title.

On motions by Senator Dudley, **CS for SB 1054** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Madam President	Crist	Holzendorf	Meadows
Bankhead	Diaz-Balart	Horne	Myers
Bronson	Dudley	Jones	Ostalkiewicz
Brown-Waite	Dyer	Kirkpatrick	Rossin
Burt	Forman	Klein	Scott
Campbell	Geller	Kurth	Silver
Casas	Grant	Latvala	Sullivan
Childers	Gutman	Laurent	Thomas
Clary	Hargrett	Lee	Turner
Cowin	Harris	McKay	Williams

Nays—None

SB 768—A bill to be entitled An act relating to sureties; amending s. 648.442, F.S., (RAB); authorizing the Department of Insurance to establish a form for an affidavit and statement required under s. 903.14, F.S., relating to the amount and source of any security or consideration for a surety bond; prescribing a statement to be included on indemnity agreements; providing an effective date.

—as amended March 18 was read the third time by title.

On motions by Senator Diaz-Balart, **SB 768** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Madam President	Crist	Horne	Myers
Bankhead	Diaz-Balart	Jones	Ostalkiewicz
Bronson	Dyer	Kirkpatrick	Rossin
Brown-Waite	Forman	Klein	Scott
Burt	Geller	Kurth	Silver
Campbell	Grant	Latvala	Sullivan
Casas	Gutman	Laurent	Turner
Childers	Hargrett	Lee	Williams
Clary	Harris	McKay	
Cowin	Holzendorf	Meadows	

Nays—None

Vote after roll call:

Yea—Dudley, Thomas

SB 770—A bill to be entitled An act relating to firefighter and forestry firefighter training and certification programs (RAB); amending s. 633.35, F.S.; providing for the issuance of a special certificate for administrative and command heads; providing guidelines for certain reexaminations; providing an effective date.

—as amended March 18 was read the third time by title.

On motions by Senator Diaz-Balart, **SB 770** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Madam President	Crist	Holzendorf	Meadows
Bankhead	Diaz-Balart	Horne	Myers
Bronson	Dudley	Jones	Ostalkiewicz
Brown-Waite	Dyer	Kirkpatrick	Rossin
Burt	Forman	Klein	Silver
Campbell	Geller	Kurth	Sullivan
Casas	Grant	Latvala	Thomas
Childers	Gutman	Laurent	Turner
Clary	Hargrett	Lee	Williams
Cowin	Harris	McKay	

Nays—None

SPECIAL ORDER CALENDAR

On motion by Senator Brown-Waite—

CS for SB 250—A bill to be entitled An act relating to certificates of need; amending s. 400.071, F.S., relating to nursing home licensure; revising certain requirements for the Agency for Health Care Administration in issuing a certificate of need to a nursing home; deleting provisions expressing legislative preference for certificate-of-need applications that indicate intent to meet certain needs of Medicaid recipients with respect to nursing home services; amending s. 408.034, F.S.; specifying duties and responsibilities of the agency with respect to administering the certificate-of-need program; deleting a reference to the state-wide health plan; making conforming and technical revisions; amending s. 408.036, F.S.; exempting from certificate-of-need regulation certain nursing home beds operated by or on behalf of the Department of Veterans' Affairs; excluding the exempted beds from the nursing home bed inventory; amending s. 408.040, F.S., relating to certificate-of-need conditions and monitoring of certificates of need; authorizing the Agency for Health Care Administration to condition issuance of a certificate of need for nursing home beds on an applicant's indication that it will provide a specified number of beds for Medicaid residents; requiring that such condition be stated on the certificate of need; directing the agency to notify the Medicaid program office and the Department of Elderly Affairs of conditions imposed in an area in which a community diversion pilot project is implemented; correcting references to reflect the transfer of the responsibility for administering the certificate-of-need program from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; establishing a workgroup to study and monitor market and regulatory developments that may affect certain nursing home bed allocations; requiring reports; providing for workgroup termination; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 250** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bronson—

SB 230—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; reviving and readopting ss. 500.12, 500.121, F.S., relating to food permits and building permits and to penalties for violations relating to such permits; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 230** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hargrett—

CS for SB 666—A bill to be entitled An act relating to WAGES program transportation; amending s. 234.01, F.S.; authorizing school districts to provide transportation for WAGES participants; amending s. 234.211, F.S.; providing for reimbursement of school districts; amending s. 341.041, F.S.; establishing responsibilities of the Department of Transportation with respect to transit services for WAGES participants; amending s. 341.052, F.S.; relating to duties of public transit block grant recipients to coordinate with local WAGES coalitions regarding transportation services; deleting duplicative provisions; amending s. 414.026, F.S.; revising membership of the WAGES Program State Board of Directors; amending s. 414.20, F.S.; clarifying transportation options available to local WAGES coalitions to assist WAGES participants; creating s. 414.225, F.S.; providing for the provision of transitional transportation for former WAGES participants; amending s. 427.013, F.S.; providing for the duties of the Commission for the Transportation Disadvantaged regarding WAGES transportation; amending s. 427.0155, F.S.; providing for the duties of community transportation coordinators regarding WAGES transportation; amending s. 427.0157, F.S.; providing for the duties of the local coordinating boards regarding WAGES transportation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 666** was placed on the calendar of Bills on Third Reading.

On motion by Senator Holzendorf, by two-thirds vote **HB 3597** was withdrawn from the Committee on Banking and Insurance.

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

HB 3597—A bill to be entitled An act relating to insurance for family day care homes; creating s. 627.70161, F.S.; providing legislative intent; providing definitions; providing an exclusion from liability coverage under residential property insurance policies for losses arising out of the operation of a family day care home; prohibiting cancellation, refusal to renew, or denial of coverage for residential property insurance due to family day care operations; providing exceptions; providing an effective date.

—a companion measure, was substituted for **CS for SB 226** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 3597** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

SB 238—A bill to be entitled An act relating to the regulation of professions and occupations; amending s. 11.62, F.S.; providing criteria for evaluating proposals for new regulations based on the effect of such regulations on job creation or retention; amending ss. 455.201 and 455.517, F.S.; providing criteria for evaluating proposals to increase the regulation of currently regulated professions based on the effect of such regulations on job creation or retention; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 238** was placed on the calendar of Bills on Third Reading.

On motion by Senator Childers—

SB 78—A bill to be entitled An act relating to athlete agents; amending s. 468.453, F.S.; requiring each applicant for licensure as an athlete agent to submit a full set of fingerprints for purposes of the required

criminal records check; exempting members of The Florida Bar from regulations imposed on athlete agents; providing an effective date.

—was read the second time by title.

Senator Childers moved the following amendment which was adopted:

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

Section 1. *This act may be cited as the Michael Lambert Ferguson Act.*

Section 2. Paragraph (e) of subsection (2) and subsection (3) of section 468.453, Florida Statutes, are amended to read:

468.453 Licensure required; qualifications; examination; bond.—

(2) A person shall be licensed as an athlete agent if the applicant:

(e) Has provided sufficient information, *and a full set of the applicant's fingerprints, taken by an authorized law enforcement officer*, which must be submitted by the department for a criminal records check through the Federal Bureau of Investigation.

(3) Members of The Florida Bar are exempt from the *requirements of this part state laws and rules component, and the fee for such, of the examination required by this section.*

Section 3. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to athlete agents; creating the "Michael Lambert Ferguson Act"; amending s. 468.453, F.S.; requiring each applicant for licensure as an athlete agent to submit a full set of fingerprints for purposes of the required criminal records check; exempting members of The Florida Bar from regulations imposed on athlete agents; providing an effective date.

WHEREAS, retired Brigadier General Michael Lambert Ferguson has received more than 30 awards and decorations, including the Purple Heart and the Distinguished Service Medal, and

WHEREAS, Michael Lambert Ferguson, as a partner in the law firm of McDonald, Fleming, Moorhead, and Ferguson, is a certified NFL Player Agent, licensed in Florida and Louisiana, and represents some of this state's most famous athletes, and

WHEREAS, General Ferguson has had a long and illustrious career as a soldier serving his country, as a civic leader, and as an attorney representing some of Florida's famous athletes, NOW, THEREFORE,

Pursuant to Rule 4.19, **SB 78** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Bankhead, the rules were waived and time of recess was extended until completion of motions and announcements.

REPORTS OF COMMITTEES

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 866 with 2 amendments

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

The Committee on Children, Families and Seniors recommends the following pass: SB 1122 with 2 amendments

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

The Committee on Regulated Industries recommends the following pass: SB 806

The bill was referred to the Committee on Governmental Reform and Oversight under the original reference.

The Committee on Regulated Industries recommends the following pass: SB 1520

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 192

The bill was referred to the Committee on Ways and Means under the original reference.

The Committee on Children, Families and Seniors recommends the following pass: SB 392 with 1 amendment, SB 892, SB 1720 with 1 amendment, SB 1762 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 852

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1378

The Committee on Health Care recommends a committee substitute for the following: SB 1044

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1406

The Committee on Education recommends committee substitutes for the following: CS for SB 742, SB 1182, SB 1184, SB 1996

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1108

The Committee on Criminal Justice recommends committee substitutes for the following: SB 930, SB 1714

The Committee on Health Care recommends a committee substitute for the following: SB 1410

The Committee on Judiciary recommends a committee substitute for the following: SB 550

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Diaz-Balart—

SB 2276—A bill to be entitled An act relating to Florida School Improvement and Academic Achievement Trust Fund grants; amending s.

236.1229, F.S.; revising funding, allocation, and district-level administration; providing an effective date.

—was referred to the Committees on Education; and Ways and Means.

By Senator Gutman—

SB 2278—A bill to be entitled An act relating to ad valorem taxation; providing that a private correctional facility serves a public purpose and is exempt from ad valorem taxation; providing for any portion of such property used for nonexempt purposes to be subject to taxation; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; and Ways and Means.

By Senator Kirkpatrick—

SB 2280—A bill to be entitled An act relating to education; amending s. 24.121, F.S.; deleting obsolete language relating to the release of lottery funds to school districts; amending s. 229.58, F.S.; revising provisions relating to membership of school advisory councils; amending s. 229.591, F.S.; requiring postsecondary institutions to work toward the goal of ensuring professional teachers and staff; amending s. 230.23, F.S., relating to school improvement and accountability; requiring school board approval of school improvement plans by August 15 annually; providing an effective date.

—was referred to the Committee on Education.

By Senator Gutman—

SB 2282—A bill to be entitled An act relating to acupuncture; amending s. 457.102, F.S.; defining the term “acupuncture”; amending s. 457.103, F.S.; revising the membership of the Board of Acupuncture; amending s. 457.105, F.S.; revising the licensing requirements for acupuncturists; amending s. 457.116, F.S.; prohibiting certain acts; providing penalties; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Holzendorf—

SB 2284—A bill to be entitled An act relating to economic development; creating s. 288.049, F.S.; defining areas of critical need for purposes of economic development; amending ss. 288.047, 288.063, and 288.106, F.S.; setting aside a portion of appropriated revenues for specified economic development projects; exempting such funds from reversion at the end of the fiscal year; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Community Affairs; and Ways and Means.

By Senator Holzendorf—

SB 2286—A bill to be entitled An act relating to pari-mutuel wagering; authorizing a permitholder that conducts pari-mutuel wagering to conduct account wagering, notwithstanding other provisions of law; providing for wagers to be debited from an account held by the permitholder; providing notice requirements; providing for all forms of pari-mutuel wagering to be available through account wagering; providing for certain deductions from account wagers; providing for winnings to be credited to an account upon confirmation of the race as official; authorizing a permitholder to operate an account-wagering center at a location designated by the permitholder; providing for the permitholder to provide services that link transactions from an account holder to a totalisator company; providing an effective date.

—was referred to the Committees on Regulated Industries; and Ways and Means.

By Senator Gutman—

SB 2288—A bill to be entitled An act relating to juvenile justice; amending s. 943.053, F.S.; authorizing the release of certain juvenile criminal history records to a private entity under contract with the Department of Juvenile Justice; providing that such records remain confidential and exempt from the public records law; amending s. 984.03, F.S.; revising definitions; providing for a juvenile probation officer to perform certain duties formerly performed by an intake counselor or case manager; amending s. 985.03, F.S.; revising definitions; providing for a juvenile probation officer to perform certain duties formerly performed by an intake counselor or case manager; providing that penalties imposed for an escape from detention or a commitment facility apply to a juvenile who escapes from a maximum-risk residential facility; conforming cross-references to changes made by the act; amending ss. 985.207, 985.208, F.S., relating to conditions for taking a juvenile into custody and detention; conforming provisions to changes made by the act; amending s. 985.209, F.S.; providing for the Department of Juvenile Justice to establish juvenile assessment centers; providing for the centers to be operated through cooperative agreements with other state agencies; providing for intake and screening services; amending ss. 985.21, 985.211, F.S.; providing for certain functions formerly considered case-management functions to be probation functions; amending s. 985.215, F.S.; conforming terminology to changes made by the act; requiring that a juvenile held in secure detention awaiting dispositional placement meet certain criteria for detention; amending s. 985.216, F.S.; deleting a provision authorizing placement of a juvenile in a secure residential commitment facility for direct or indirect contempt of court; amending ss. 985.226, 985.23, F.S., relating to criteria for waiver of jurisdiction and disposition hearings in delinquency cases; conforming provisions to changes made by the act; amending s. 985.231, F.S.; providing for placing a juvenile on home detention with electronic monitoring if a residential consequence unit is not available; amending ss. 985.301, 985.304, F.S., relating to civil citations and community arbitration; conforming provisions to changes made by the act; deleting certain references to case-management services; amending s. 985.307, F.S.; extending the period during which the Department of Juvenile Justice is authorized to operate juvenile assignment centers; amending ss. 985.31, 985.311, F.S., relating to serious or habitual juvenile offenders and intensive residential treatment programs for offenders less than 13 years of age; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 944.401, F.S., relating to the offense of escaping from secure detention or a residential commitment facility; conforming a cross-reference; amending s. 985.406, F.S., relating to juvenile justice training academies; conforming provisions to changes made by the act; amending s. 985.412, F.S.; deleting a duty of the department’s inspector general with respect to quality assurance; amending s. 985.413, F.S.; increasing the number of consecutive terms that may be served by a member of a district juvenile justice board; deleting an exemption from such limitation; amending s. 985.414, F.S.; specifying the parties to be included in an interagency agreement for developing a county juvenile justice plan; amending s. 985.415, F.S.; revising eligibility requirements for a Community Juvenile Justice Partnership Grant; amending s. 938.19, F.S.; authorizing the assessment of certain fees for the purpose of operating and administering a teen court, notwithstanding certain contrary provisions; providing effective dates.

—was referred to the Committees on Criminal Justice; Children, Families and Seniors; and Ways and Means.

By Senator Latvala—

SB 2290—A bill to be entitled An act relating to Everglades restoration; creating s. 373.45928, F.S.; providing a short title; providing legislative findings and intent; defining terms; directing the Joint Committee on Everglades Oversight to recommend to the Legislature a funding program for pollution abatement costs as defined in s. 373.4592(2)(b), F.S.; directing the South Florida Water Management District and the Department of Environmental Protection to assist the joint committee; providing information to be considered; directing the South Florida Water Management District to provide the joint committee with specified information; providing requirements for proposed funding mechanisms; directing the South Florida Water Management District to hold public workshops; requiring the joint committee to report to the Governor and Legislature; limiting the transfer or exchange of specified lands; limiting a priority right to lease particular lands; prescribing the content

of a report; directing the South Florida Water Management District to develop recommendations for the conversion of the Everglades agricultural privilege tax to a pollution loading assessment; providing standing for specified actions; providing for positions and an appropriation; providing an effective date.

—was referred to the Committees on Natural Resources; Ways and Means; and Rules and Calendar.

SR 2292—Not referenced.

By Senator Latvala—

SB 2294—A bill to be entitled An act relating to water resource management; amending s. 373.016, F.S.; declaring the policy of state and regional water management; encouraging use of water from sources nearest the area of need; amending s. 373.019, F.S.; defining the term “water source”; amending s. 373.223, F.S.; allowing the Department of Environmental Protection or the water management district governing boards to consider additional factors when determining the public interest of the transport and use of water beyond overlying land; amending s. 373.026, F.S.; requiring legislative approval prior to actions on the Central and Southern Florida Flood Control Project Restudy; providing an effective date.

—was referred to the Committees on Natural Resources and Community Affairs.

By Senator Sullivan—

SB 2296—A bill to be entitled An act relating to patient continuity of care; amending s. 641.315, F.S.; prohibiting contracts between a health maintenance provider and a provider of health care services from containing certain restrictions; amending s. 641.51, F.S., relating to health maintenance organization quality assurance; requiring such organizations to provide a subscriber continued access to a treating provider terminated by the organization; providing limitations; prescribing the specific circumstances in which treatment may continue; providing that each enrollee or prospective enrollee in a managed-care plan has the right to receive certain information before enrolling or renewing enrollment in the plan; providing an effective date.

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

By Senator Laurent—

SB 2298—A bill to be entitled An act relating to water resource management; amending s. 373.016, F.S.; providing legislative policy relating to state and regional water resource management; encouraging use of water from sources nearest the area of need; providing an exception; amending s. 373.019, F.S.; defining “donor area”; amending s. 373.196, F.S.; clarifying legislative intent that water resource development is a function of the water management districts; amending s. 373.223, F.S.; directing the Department of Environmental Protection or water management district governing board to give significant weight to certain factors when determining the public interest for the transport and use of water across county boundaries or outside the watershed; amending s. 373.229, F.S.; requiring additional information in permit applications for proposed transport and use of water pursuant to s. 373.223(2), F.S.; reenacting s. 373.536(5)(c), F.S.; clarifying intent with respect to language inadvertently omitted by legislative action; amending ss. 373.036, 373.209, 373.226, 373.421, F.S.; correcting cross-references; providing an effective date.

—was referred to the Committees on Natural Resources and Community Affairs.

By Senator Laurent—

SB 2300—A bill to be entitled An act relating to conversion of credit unions; prohibiting the Department of Banking and Finance from approving applications for conversion of certain federally chartered credit unions to a state charter under certain circumstances; providing an exception; providing for future repeal; providing an effective date.

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

By Senator Laurent—

SB 2302—A bill to be entitled An act relating to tax on sales, use, and other transactions; providing that no tax on certain purchases by, and revenues of, a chamber of commerce not actually paid or collected before a specified date shall be due from that chamber of commerce; providing for refund of certain taxes paid; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Bankhead—

SB 2304—A bill to be entitled An act relating to the Department of Children and Family Services; expressing legislative intent to reduce the service districts of the department.

—was referred to the Committees on Children, Families and Seniors; and Ways and Means.

By Senator Klein—

SB 2306—A bill to be entitled An act relating to elections; amending s. 100.061, F.S.; providing an alternative procedure under certain circumstances for nominating and electing a political party's candidate for public office; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Senator Burt—

SB 2308—A bill to be entitled An act relating to ballot referenda; amending s. 101.161, F.S.; requiring that a ballot title and summary be included on a constitutional amendment or other public measure submitted to the vote of the people; creating s. 101.163, F.S.; requiring that the Attorney General review the ballot summary and title of a proposed constitutional amendment or public measure and file a revised ballot summary and title if necessary; providing for the Secretary of State to transmit an approved copy of a ballot summary and title to the supervisors of elections; authorizing an elector to petition the Supreme Court if the ballot summary and title do not express the chief purpose of the measure; providing requirements for the petition; amending s. 16.061, F.S., relating to initiative petitions; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Judiciary.

By Senator Myers—

SB 2310—A bill to be entitled An act relating to trust funds; creating the Work and Gain Economic Self-sufficiency (WAGES) Trust Fund for the deposit of federal and state funds that support the WAGES Program; providing for the investment and appropriation of trust fund moneys;

providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Commerce and Economic Opportunities; and Ways and Means.

By Senator Dudley—

SB 2312—A bill to be entitled An act relating to persons with developmental disabilities; requiring that the Department of Children and Family Services develop a plan for closing the developmental services institutions by a specified date and relocating the residents to homes in the community; providing for funding to be discontinued for facilities that serve more than a specified number of residents; providing an exception for cluster homes in operation on a specified date; creating the Commission on Reforms for Persons with Developmental Disabilities to oversee the integration of persons into homes in the community; providing for membership of the commission; providing for organization of the commission and meetings; specifying duties of the commission; requiring that the commission make biennial reports to the Governor, the Legislature, and certain other officials; amending s. 393.062, F.S.; revising legislative findings and intent with respect to programs for persons with developmental disabilities; amending s. 393.063, F.S.; revising definitions; amending s. 393.064, F.S.; providing requirements for prevention services provided for children with developmental disabilities; amending s. 393.0651, F.S.; revising requirements for the family or individual support plan; providing for services to be provided in the most inclusive environment; revising certain facilities that are considered for placement; amending s. 393.0655, F.S., relating to screening of direct service providers; conforming provisions to changes made by the act; amending s. 393.066, F.S.; providing for residential services to be provided in small homes that do not serve more than a specified number of individuals; amending s. 393.067, F.S.; deleting references to the comprehensive transition education program; providing for discontinuing the funding for certain facilities after a specified date; providing that a residential facility is a single-family unit and a noncommercial residential use for purposes of local laws and ordinances; amending s. 393.068, F.S.; revising the requirements for the residential services provided under the family care program; providing for certain services to be provided under a voucher system; amending s. 393.075, F.S., relating to general liability coverage; conforming provisions to changes made by the act; repealing s. 393.11, F.S., relating to involuntary admission to residential services; amending s. 393.13, F.S., relating to the Bill of Rights of Persons with Developmental Disabilities; providing requirements for the personal treatment of persons with developmental disabilities; amending s. 393.14, F.S.; providing requirements for the department's multiyear plan; amending s. 393.15, F.S., relating to the Community Resources Development Trust Fund; conforming provisions to changes made by the act; amending s. 393.165, F.S.; revising legislative findings and intent with respect to providing services for persons with developmental disabilities in small residential homes; amending s. 393.166, F.S.; providing for the licensure of facilities that house not more than a specified number of persons with developmental disabilities; amending s. 393.17, F.S.; providing requirements for the department's certification program; repealing s. 393.21, F.S., relating to developmental services institutions; amending s. 393.31, F.S.; authorizing the department to contract with rehabilitation workshop facilities; amending s. 393.22, F.S.; providing for determining eligibility for services; amending s. 393.50, F.S.; providing for extended employment for persons with developmental disabilities; amending s. 393.501, F.S.; revising the department's rulemaking authority; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Ways and Means.

By Senator Grant—

SB 2314—A bill to be entitled An act relating to rulemaking authority of boards of trustees of community colleges (RAB); amending s. 240.319, F.S.; prescribing rulemaking authority or such boards of trustees; providing an effective date.

—was referred to the Committee on Education.

By Senator Grant—

SB 2316—A bill to be entitled An act relating to the State Board of Independent Colleges and Universities (RAB); amending s. 246.081, F.S.; restricting certain activities of graduates of foreign medical schools; amending s. 246.085, F.S.; requiring rules relating to certificates of exemption; amending ss. 246.087, 246.091, F.S.; requiring certain procedures and rules to be adopted relating to licensing requirements; creating s. 246.093, F.S.; requiring certain colleges to obtain permission to operate; amending s. 246.095, F.S.; requiring rules relating to fair consumer practices; providing an effective date.

—was referred to the Committee on Education.

Senate Resolutions 2318—2320—Not referenced.

By Senator Hargrett—

SB 2322—A bill to be entitled An act relating to education; creating an urban tutorial and mentoring program; providing goals for the program; specifying certain activities that must be part of the program; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Reform and Oversight; and Ways and Means.

By Senator Rossin—

SB 2324—A bill to be entitled An act relating to the Long-Term-Care Community Diversion Pilot Project; amending s. 430.705, F.S.; allowing participants to choose long-term-care service providers affiliated with an individual's religious denomination or faith group under certain circumstances; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; Health Care; and Ways and Means.

By Senator Silver—

SB 2326—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.06, F.S.; eliminating the requirement that a permanent validation sticker be issued in connection with each license plate and revising requirements relating to the annual validation sticker; requiring that an annual validation decal be issued in connection with each license plate in addition to the annual validation sticker; providing exemptions; amending ss. 320.03, 320.031, F.S.; providing for issuance of decals by tax collectors and delivery of decals by mail; amending s. 320.061, F.S.; providing a penalty for altering a decal; amending s. 320.07, F.S.; providing penalties for operating a motor vehicle without a current decal; amending s. 320.071, F.S.; providing for issuance of decals as part of the advance registration renewal process; providing a penalty; amending s. 320.0801, F.S.; imposing a license tax; providing for the tax proceeds to be deposited in the Highway Safety Operating Trust Fund; amending s. 320.26, F.S.; providing a penalty for counterfeiting decals; amending s. 320.261, F.S.; providing a penalty for attaching a decal to a vehicle to which the decal was not assigned; amending ss. 320.04, 320.0607, 320.0657, 320.084, 320.10, 921.0012, F.S., relating to service charges, replacement plates and decals, fleet license plates, disabled veterans' license plates, licensing of exempt vehicles, and a sentencing guidelines ranking chart, to conform; providing an effective date.

—was referred to the Committees on Transportation; and Ways and Means.

By Senator Silver—

SB 2328—A bill to be entitled An act relating to motor vehicles; amending s. 320.01, F.S.; defining the term “Neighborhood Vehicle”; providing an effective date.

—was referred to the Committees on Transportation; and Ways and Means.

By Senator Silver—

SB 2330—A bill to be entitled An act relating to the foster care program of the Department of Children and Family Services; amending s. 409.145, F.S.; providing that services under the program are available to a child whose primary caregiver is a grandparent, regardless of whether the child has been declared dependent; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Ways and Means.

By Senators Crist, Meadows, Williams, Bronson, Cowin, Harris, Horne, Diaz-Balart, Lee, Gutman, Ostalkiewicz and Turner—

SB 2332—A bill to be entitled An act relating to the state’s lawsuit against tobacco companies; providing a limitation on attorney’s fees; providing for distribution of attorney’s fees received from tobacco companies; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Myers—

SB 2334—A bill to be entitled An act relating to children’s mental health services and substance abuse services; transferring responsibility for such services from the Department of Children and Family Services to the Department of Health; amending s. 230.2317, F.S.; providing for membership of the Advisory Board for the Multiagency Service Network for Students with Severe Emotional Disturbances; amending s. 394.455, F.S.; redefining the term “department” for purposes of the Florida Mental Act, to include both the Department of Children and Family Services and the Department of Health; amending s. 394.50, F.S.; providing for supervision and control of children’s treatment centers by the Department of Health; amending s. 394.60, F.S.; providing for transfer of patients from such centers; amending s. 394.67, F.S.; redefining the term “department” for purposes of community alcohol, drug abuse, and mental health services to include both the Department of Children and Family Services and the Department of Health; amending s. 561.21, F.S.; providing for deposit of certain revenues into the Children and Adolescents Substance Abuse Trust Fund; amending s. 984.225, F.S.; providing for placement of children in need of services; amending s. 985.06, F.S.; providing membership of the interagency workgroup for youth in the juvenile justice system; amending s. 985.21, F.S.; requiring employees and agents of the Department of Health to cooperate with case managers of the Department of Juvenile Justice; amending s. 985.223, F.S.; providing responsibilities of the Department of Health with respect to incompetency evaluations of children alleged to be delinquent; providing for a committee to recommend to the Department of Children and Family Services and the Department of Health the most efficient ways to accomplish the transfer of responsibility relating to children’s mental health services and children’s substance abuse services; providing an effective date.

—was referred to the Committees on Health Care; Children, Families and Seniors; and Ways and Means.

By Senator Clary—

SB 2336—A bill to be entitled An act relating to contracting; amending s. 489.103, F.S.; providing exemptions from regulation for the sale, delivery, assembly, or tie-down of prefabricated portable sheds under

certain conditions; amending s. 489.105, F.S.; revising and providing definitions applicable to contractors; amending s. 489.107, F.S.; eliminating reference to board jurisdiction over examinations; requiring the Construction Industry Licensing Board and the Electrical Contractors’ Licensing Board to each appoint a committee to meet jointly at least twice a year; amending s. 489.113, F.S.; providing that expansion of the scope of practice of any type of contractor does not limit the scope of practice of any existing type of contractor unless the Legislature expressly provides such limitation; repealing s. 489.1135, F.S., which provides for certification of underground utility and excavation contractors; creating s. 489.1136, F.S.; providing for medical gas certification for plumbing contractors who install, improve, repair, or maintain conduits used to transport gaseous or partly gaseous substances for medical purposes; requiring certain coursework; requiring an examination for certain persons; providing for discipline and penalties; providing a definition; amending s. 553.06, F.S.; providing that plumbing contractors who install, improve, repair, or maintain such conduits shall be governed by the National Fire Prevention Association Standard 99C; amending s. 489.115, F.S.; authorizing certificateholders and registrants to apply continuing education courses earned under other regulatory provisions under certain circumstances; amending s. 489.119, F.S.; detailing what constitutes an incomplete contract for purposes of work allowed a business organization under temporary certification or registration; amending s. 489.140, F.S.; eliminating a provision that requires the transfer of surplus moneys from fines into the Construction Industries Recovery Fund; amending s. 489.141, F.S.; clarifying provisions relating to conditions for recovery from the fund; eliminating a notice requirement; revising a limitation on the making of a claim; amending s. 489.142, F.S.; revising a provision relating to powers of the Construction Industry Licensing Board with respect to actions for recovery from the fund, to conform; amending s. 489.143, F.S.; revising provisions relating to payment from the fund; amending s. 489.503, F.S., relating to exemptions from part II of chapter 489, F.S., relating to electrical and alarm system contracting; revising an exemption that applies to telecommunications, community antenna television, and radio distribution systems, to include cable television systems; providing exemptions relating to the monitoring of alarm systems by law enforcement employees or officers or fire department employees or officials, by employees of state or federally chartered financial institutions, or by employees of a business; amending s. 489.505, F.S., and repealing subsection (24), relating to the definition of “limited burglar alarm system contractor”; redefining terms applicable to electrical and alarm system contracting; defining the term “monitoring”; amending s. 489.507, F.S.; requiring the Electrical Contractors’ Licensing Board and the Construction Industry Licensing Board to each appoint a committee to meet jointly at least twice a year; amending s. 489.509, F.S.; eliminating reference to the payment date of the biennial renewal fee for certificateholders and registrants; eliminating an inconsistent provision relating to failure to renew an active or inactive certificate or registration; providing for transfer of a portion of certain fees applicable to regulation of electrical and alarm system contracting to fund certain projects relating to the building construction industry and continuing education programs related thereto; amending s. 489.511, F.S.; revising eligibility requirements for certification as an electrical or alarm system contractor; authorizing the taking of the certification examination more than three times and providing requirements with respect thereto; eliminating an obsolete provision; amending s. 489.513, F.S.; revising registration requirements for electrical contractors; amending s. 489.517, F.S.; authorizing certificateholders and registrants to apply continuing education courses earned under other regulatory provisions under certain circumstances; providing for verification of public liability and property damage insurance; amending s. 489.519, F.S.; authorizing certificateholders and registrants to apply for voluntary inactive status at any time during the period of certification or registration; authorizing a person passing the certification examination and applying for licensure to place his or her license on inactive status without having to qualify a business; amending s. 489.521, F.S.; providing conditions on qualifying agents qualifying more than one business organization; providing for revocation or suspension of such qualification for improper supervision; providing technical changes; amending s. 489.525, F.S.; revising reporting requirements of the Department of Business and Professional Regulation to local boards and building officials; providing applicability with respect to information provided on the Internet; amending s. 489.533, F.S.; revising and providing grounds for discipline; providing penalties; reenacting s. 489.518(5), F.S., relating to alarm system agents, to incorporate the amendment to s. 489.533, F.S., in a reference thereto; amending s. 489.537, F.S.; authorizing registered electrical contractors to install raceways for alarm systems; providing that licensees under pt. II, ch. 489, F.S., are subject, as applicable, to

certain provisions relating to local occupational license taxes; amending ss. 489.539, 553.19, F.S.; updating electrical and alarm standards; adding a national code relating to fire alarms to the minimum electrical and alarm standards required in this state; providing an effective date.

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

By Senator Forman—

SB 2338—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.743, F.S.; requiring insurers to search for liens before making payment on certain claims; providing an exception to joint payment requirements under certain circumstances; providing an effective date.

—was referred to the Committee on Banking and Insurance.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary—

CS for SB 550—A bill to be entitled An act relating to adoption; amending ss. 39.461, 39.464, 39.469, F.S., relating to the petition and grounds for terminating parental rights and powers of disposition; removing provisions authorizing licensed child-placing agencies to file actions to terminate parental rights; amending s. 39.47, F.S.; providing additional requirements for a petition for adoption; prohibiting filing such petition until the order terminating parental rights is final; amending s. 63.022, F.S.; revising legislative intent with respect to adoptions in this state; amending s. 63.032, F.S.; revising definitions; defining the term “adoption entity”; creating s. 63.037, F.S.; exempting adoption proceedings that result from a termination of parental rights under ch. 39, F.S., from certain provisions of ch. 63, F.S.; creating s. 63.038, F.S.; providing criminal penalties for committing certain fraudulent acts; creating s. 63.039, F.S.; providing sanctions and an award of attorney’s fees under certain circumstances; amending s. 63.052, F.S.; providing for placement of a minor pending adoption; specifying the jurisdiction of the court over a minor who has been placed for adoption; amending s. 63.062, F.S.; specifying additional persons who must consent to an adoption, execute an affidavit of nonpaternity, or receive notice of proceedings to terminate parental rights; permitting an affidavit of nonpaternity under certain circumstances; amending s. 63.082, F.S.; revising requirements for executing a consent to an adoption; providing a time period for withdrawing consent; providing additional disclosure requirements; amending s. 63.085, F.S.; specifying information that must be disclosed to persons seeking to adopt a minor and to the birth parents; creating s. 63.087, F.S.; requiring that a separate proceeding be conducted by the court to determine whether a birth parent’s parental rights should be terminated; providing for rules, jurisdiction, and venue for such proceedings; providing requirements for the petition and hearing; creating s. 63.088, F.S.; providing requirements for identifying and locating a person who is required to consent to an adoption or receive notice of proceedings to terminate parental rights; providing requirements for the notice; providing requirements for conducting a diligent search for such person whose location is unknown; requiring that an unlocated or unidentified person be served notice by constructive service; providing that failure to respond or appear constitutes grounds to terminate parental rights pending adoption; creating s. 63.089, F.S.; providing procedures for the proceeding to terminate parental rights pending adoption; specifying the matters to be determined; specifying grounds upon which parental rights may be terminated; providing for procedures following a judgment; providing for records to be made part of the subsequent adoption; amending s. 63.092, F.S.; providing requirements to be met if a prospective placement in an adoptive home is an at-risk placement; defining at-risk placement; amending s. 63.097, F.S.; revising requirements for the court in approving specified fees and costs; amending s. 63.102, F.S.; revising requirements for filing a petition for adoption; providing requirements for prior approval of fees and costs; amending s. 63.112, F.S.; revising requirements for the information that must be included in a petition for adoption; amending s. 63.122, F.S.; revising the time requirements for hearing a petition for adoption; amending s. 63.125, F.S., relating to the final home investigation; conforming provisions to changes made by the act; amending s. 63.132, F.S.;

revising requirements for the report of expenditures and receipts which is filed with the court; amending s. 63.142, F.S.; specifying circumstances under which a judgment terminating parental rights pending adoption is voidable; providing for an evidentiary hearing to determine the minor’s placement following a motion to void such a judgment; amending s. 63.152, F.S.; requiring that the clerk of the court mail a copy of a new birth record to the state registry of adoption information; amending s. 63.165, F.S.; requiring that a copy of the certified statement of final decree of adoption be included in the state registry of adoption information; requiring that the Department of Children and Family Services maintain such information for a specified period; amending s. 63.182, F.S.; requiring that an action to vacate an order of adoption or an order terminating parental rights pending adoption be filed within a specified period after entry of the order; amending s. 63.207, F.S.; revising provisions that limit the placement of a minor in another state for adoption; amending s. 63.212, F.S., relating to prohibitions and penalties with respect to adoptions; conforming provisions to changes made by the act; repealing s. 63.072, F.S., relating to persons who may waive required consent to an adoption; requiring that a petition for adoption be governed by the law in effect at the time the petition is filed; providing an effective date.

By the Committees on Education; Commerce and Economic Opportunities; and Senators Clary and Diaz-Balart—

CS for CS for SB 742—A bill to be entitled An act relating to sponsored research and development; amending s. 220.15, F.S.; providing that certain property and payroll associated with sponsored research and development at certain universities will be disregarded in calculating apportionment of adjusted federal income and that such research will not, alone, cause a corporation to incur state income tax liability; defining the term “sponsored research contract”; authorizing the Department of Revenue to adopt rules; requiring a report; providing an effective date.

By the Committee on Criminal Justice and Senator Campbell—

CS for SB 930—A bill to be entitled An act relating to notification of an escaped prisoner; amending s. 960.001, F.S.; requiring that a state correctional facility, private correctional facility, county jail, juvenile detention facility, or residential commitment facility immediately notify the judge who sentenced an escaped offender; requiring the institution or facility of confinement to immediately notify the state attorney and sentencing judge upon the capture and return of the escaped offender; providing an effective date.

By the Committee on Health Care and Senator Williams—

CS for SB 1044—A bill to be entitled An act relating to public records and meetings; creating s. 395.3036, F.S.; providing that the records of a private corporation that leases a public hospital or other public health care facility are confidential and exempt from public records requirements, and the meetings of the governing board of such corporation are exempt from public meeting requirements, except under specified circumstances; providing for future review and repeal; subjecting certain exempt private corporations to s. 155.40(5), F.S.; providing for accountability for expenditure of public funds; providing applicability; providing a finding of public necessity; providing for the continued applicability of the Florida Rules of Civil Procedure and statutory provisions relating to discoverability in civil actions to records and information made exempt in the act; providing an effective date.

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

CS for SB 1108—A bill to be entitled An act relating to insurance; amending s. 627.021, F.S.; providing that the provisions of ch. 627, F.S., do not apply to commercial inland marine insurance; amending ss. 627.0651, 627.410, F.S.; making conforming changes to requirements for filing underwriting rules and forms; amending s. 627.311, F.S.; revising the composition of the workers’ compensation joint underwriting plan; prohibiting insurers from providing workers’ compensation to certain

employers; amending s. 627.7295, F.S., relating to minimum down payments for motor vehicle insurance; providing an effective date.

By the Committee on Education and Senators Latvala and Scott—

CS for SB 1182—A bill to be entitled An act relating to charter schools; creating s. 228.0561, F.S.; providing for the distribution of funds from the Charter Schools Capital Outlay Trust Fund; providing eligibility requirements; providing duties of the Commissioner of Education; authorizing the use of funds for certain capital outlay purposes of charter schools; requiring a legislative budget request for appropriations from the Charter Schools Capital Outlay Trust Fund; providing a contingent effective date.

By the Committee on Education and Senators Latvala and Scott—

CS for SB 1184—A bill to be entitled An act relating to trust funds; creating the Charter Schools Capital Outlay Trust Fund; providing for administration by the Department of Education; providing for sources of moneys and purposes; providing for annual carryover of moneys; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Criminal Justice and Senator Burt—

CS for SB 1378—A bill to be entitled An act relating to law enforcement; amending s. 943.03, F.S.; requiring the Department of Law Enforcement to develop and maintain, in consultation with the Criminal and Juvenile Justice Information Systems Council, an information system in administrative support of the state criminal and juvenile justice system; providing that the department shall serve as the custodial manager of the statewide telecommunications and data network; amending s. 20.315, F.S.; providing for maintenance by the Department of Corrections of an offender-based information system; amending s. 20.316, F.S.; conforming terminology relating to development by the Department of Juvenile Justice of a juvenile justice information system; removing a provision requiring a report by the department to the council; amending s. 186.022, F.S., relating to state agency strategic plans; providing for review by the Executive Office of the Governor of recommendations of the council; amending s. 282.1095, F.S., relating to the state agency law enforcement radio system; reducing the membership of the Joint Task Force on State Agency Law Enforcement Communications to eliminate a representative of the council; amending s. 282.111, F.S., relating to the statewide system of regional law enforcement communications; removing a provision requiring certain consultation by the Division of Communications with the council; amending s. 318.18, F.S., relating to civil penalties; redesignating regional criminal justice assessment centers as criminal justice selection centers; amending s. 943.031, F.S., relating to the Florida Violent Crime Council; conforming cross-references; amending s. 943.08, F.S.; deleting obsolete provisions; requiring the council to review proposed plans and policies for the information system of the specified agencies to assist in facilitating the standardization, sharing, and coordination of criminal and juvenile justice data and other specified data; requiring the council to make recommendations to specified agencies; requiring recommendations regarding the installation and operation of the Florida Criminal Justice Intranet Service Network, of which the department will be the custodial manager, and specifying its functions; requiring recommendations concerning installation and operation of such a statewide network in each judicial circuit; providing legislative intent that future equipment capable of certain technologies within the specified entities be compatible with certain standards; amending s. 943.135, F.S.; allowing law enforcement officers who are also elected or appointed public officials to maintain certification in a special status while holding office; amending s. 943.256, F.S.; providing for the regional criminal justice assessment centers, which are directed by a post-secondary public school or a criminal justice agency, to be redesignated as criminal justice selection centers; amending s. 943.33, F.S.; providing for a state-operated laboratory to furnish laboratory services in a criminal case upon a court order; requiring a hearing and notice; requiring that the costs for such laboratory services be paid by the defendant or the public defender's office; amending s. 384.287, F.S.; providing for support personnel and persons acting under the direction of such personnel to request the screening of certain persons for a sexually transmissi-

ble disease under specified circumstances; authorizing the Department of Law Enforcement to secure a copyright on work products and enforce the department's rights with respect to the copyrighted work products; requiring that the department notify the Department of State upon securing or exploiting a copyright; providing for the proceeds of the sale of a copyrighted product to be deposited into a fund of the Department of Law Enforcement; defining the term "work product"; amending s. 943.325, F.S.; providing for drawing blood specimens from certain convicted persons committed to a county jail for purposes of DNA analysis; providing for obtaining blood specimens from a person who is not incarcerated following conviction; providing for a statewide protocol for securing such specimens; providing that certain medical facilities and personnel and persons who assist a law enforcement officer in withdrawing blood specimens are not civilly or criminally liable for such actions; providing for an application to the court for an order authorizing that a person be taken into custody for the purpose of providing blood specimens; providing that failure to comply with certain requirements is not grounds for challenging the validity of a blood specimen or excluding evidence based on a blood specimen; providing an effective date.

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

CS for SB 1406—A bill to be entitled An act relating to workers' compensation; amending s. 440.02, F.S.; defining the terms "corporate officer," "partner," and "sole proprietor," as used in ch. 440, F.S.; amending s. 440.05, F.S.; authorizing the Division of Workers' Compensation of the Department of Labor and Employment Security to approve and revoke certificates of exemption; specifying requirements for notices of election to be exempt; providing for renewal of exemption certificates; requiring notice on election forms that providing false information is a felony; revising fees for exemptions and specifying use of fees by the division; amending s. 440.09, F.S.; conforming references to judges of compensation claims and administrative law judges; amending s. 440.10, F.S.; revising documentation establishing conclusive presumption of independent contractor status and ineligibility for workers' compensation benefits; amending s. 440.105, F.S.; providing penalties; providing a time limitation for bringing an action under s. 440.105(4), F.S.; amending s. 440.107, F.S.; providing legislative findings related to non-compliance with workers' compensation coverage requirements; authorizing the division to enter and inspect places of business for investigating compliance; requiring employers to maintain records required by the division by rule; authorizing the division to require sworn reports from employers, to administer oaths, and to issue subpoenas to enforce compliance; providing penalties for refusal to obey a subpoena; amending s. 440.45, F.S.; revising term of office, qualifications, and method of nomination for the Chief Judge of the Office of the Judges of Compensation Claims; providing for expiration of term of office for members of the statewide nominating commission for judges of compensation claims; providing for new appointments to the nominating commission and staggered terms; revising the procedures for nominating commission regarding performance of sitting judges and regarding nominations of applicants; providing for expiration of the term of office and reappointment of the Chief Judge of Compensation Claims; providing an effective date.

By the Committee on Health Care and Senator Brown-Waite—

CS for SB 1410—A bill to be entitled An act relating to rulemaking authority with respect to health care professionals (RAB); amending s. 402.48, F.S.; requiring persons who operate health care services pools to make certain reports to the Department of Health; authorizing the department to conduct inspections; providing requirements for an application for renewal of registration with the department; authorizing the department to adopt rules governing recordkeeping, personnel procedures, and disciplinary sanctions; amending s. 455.707, F.S.; requiring that rules of the Department of Health governing treatment programs for impaired practitioners include requirements for the continued care and monitoring of a professional; amending s. 466.036, F.S.; authorizing the Department of Health to require that an applicant for a certificate to operate a dental laboratory provide additional information; amending s. 467.006, F.S.; specifying a minimum age for licensure as a midwife; amending s. 467.012, F.S.; providing additional requirements for continuing education programs for licensed midwives; providing that a midwife may fulfill a portion of the requirement for continuing education by performing pro bono services; providing recordkeeping requirements;

providing requirements for providers of continuing education programs; amending s. 467.013, F.S.; providing requirements for placing a license to practice midwifery on inactive status and for reactivating such a license; amending ss. 467.0135, 467.019, F.S.; providing for the Department of Health to adopt rules with respect to the payment of fees by midwives and recordkeeping requirements; amending s. 491.007, F.S.; exempting a certified master social worker from certain requirements for continuing education; amending s. 491.0145, F.S.; providing requirements for the examination for designation as a certified master social worker; authorizing the department to adopt rules with respect to certification requirements; providing an effective date.

By the Committee on Criminal Justice and Senator Burt—

CS for SB 1714—A bill to be entitled An act relating to the Parole Commission (RAB); amending s. 947.07, F.S.; providing guidelines for rulemaking authority; providing an effective date.

By the Committee on Education and Senator Grant—

CS for SB 1996—A bill to be entitled An act relating to charter schools; amending s. 228.056, F.S.; providing for recognition as public schools; revising requirements relating to proposals; providing for appeal of disputes and requiring mediation services; removing limitations on the number of schools; revising provisions relating to eligible students; providing for operation by a nonprofit organization; deleting certain restrictions on holding charter contracts; revising provisions relating to charter terms; providing for public employee status; providing requirements relating to employees; revising requirements relating to student transportation; revising administrative fee provisions and requiring certain administrative and educational services; revising provisions relating to charter school use of certain facilities or property; providing for certain purchasing; authorizing charter schools-in-the-workplace; providing requirements and tax exemption; creating s. 228.0561, F.S.; providing for the distribution of funds from the Charter Schools Capital Outlay Trust Fund; providing eligibility requirements; providing duties of the Commissioner of Education; authorizing the use of funds for certain capital outlay purposes of charter schools; requiring a legislative budget request for appropriations from the Charter Schools Capital Outlay Trust Fund; providing effective dates.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Citrus Commission	
Appointees: Davis, Joe L., Sr., Wauchula	05/31/2001
Gargano, Christopher W., Bradenton	05/31/2001
McPherson, Rex V. II, Orlando	05/31/2001
Owens, William E., Palm City	05/31/2001
Board of Trustees for the Florida School for the Deaf and the Blind	
Appointee: Kinsey, Randolph, Tampa	11/13/2001
Florida Elections Commission	
Appointees: Byrd, Anne Jolley Thomas, Tallahassee	12/31/2000
Cunningham, J. Courtney, Miami Shores	12/31/1999
Epps, Kenneth Lamar, Pensacola	12/31/1999
Health Care Board	
Appointee: Jeffers, Delores F., Wesley Chapel	09/30/2000
Board of Massage Therapy	

<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointee: Poulin, Robert Armand, Pompano Beach	10/31/2001
Board of Nursing	
Appointee: Crawford, Christine, Port Charlotte	10/31/2001
Board of Occupational Therapy Practice	
Appointee: Scott, Rodney P., Pensacola	10/31/1998
Board of Osteopathic Medicine	
Appointee: Agudo, Nora Diaz, Coral Gables	10/31/2001
Board of Pharmacy	
Appointee: Fong, Helen Lai Quen, Orlando	10/31/2001
Board of Podiatric Medicine	
Appointee: Hickey, Jill, Naples	10/31/2001
Postsecondary Education Planning Commission	
Appointees: Bailey, Inez W., Niceville	02/04/2002
Haynes, Thomas J. Jr., Tallahassee	02/04/2002
Tolle, Edgar E., Crystal River	02/04/2002
Northeast Florida Regional Planning Council, Region 4	
Appointees: Barber, Margaret M., Macclenny	10/01/2000
Halley, Harry J., Amelia Island	10/01/2000
Ruzecki, Mary Ann, Palm Coast	10/01/2000
Withlacoochee Regional Planning Council, Region 5	
Appointees: Davis, Marjorie C., Williston	10/01/2000
Jenkins, Evangeline E., Spring Hill	10/01/2000
East Central Florida Regional Planning Council, Region 6	
Appointees: Buchanan, Stuart P., Orlando	10/01/2000
Hattaway, James A., Sanford	10/01/2000
Lamar, H. Arthur, Titusville	10/01/2000
Central Florida Regional Planning Council, Region 7	
Appointee: Martz, John C., Sebring	10/01/2000
Tampa Bay Regional Planning Council, Region 8	
Appointee: Young, Helen W., Tampa	10/01/2000
Treasure Coast Regional Planning Council, Region 10	
Appointees: Corley, Freddie B., Palm Beach	10/01/2000
Coyle, Nelia M., Jensen Beach	10/01/2000
Flanigan, John F., N. Palm Beach	10/01/2000
South Florida Regional Planning Council, Region 11	
Appointees: McTigue, Robert E., Ft. Lauderdale	10/01/2000
Rutledge, Pierre E., Miami	10/01/2000
[Referred to the Committee on Executive Business, Ethics and Elections.]	
Governing Board of the South Florida Water Management District	
Appointee: Pettis, Eugene K., Plantation	03/01/2002
Governing Board of the Southwest Florida Water Management District	
Appointees: Davis, Pamela J., Largo	03/01/2002
Martin, James E., St. Petersburg	03/01/2002
Governing Board of the Suwannee River Water Management District	
Appointee: Wershow, Jonathan F., Alachua	03/01/1999
[Referred to the Committees on Natural Resources; and Executive Business, Ethics and Elections.]	
Greater Orlando Aviation Authority	
Appointees: McNulty, C. Howard, Orlando	04/16/2002
Pugh, James H., Jr., Orlando	04/16/2002
Jacksonville Port Authority	
Appointee: Hulsey, Mark, Jacksonville	09/30/2001
[Referred to the Committees on Transportation; and Executive Business, Ethics and Elections.]	

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 175, CS for CS for CS for HB 349, CS for HB 489, CS for CS for HB 547, CS for HB 705, CS for HB 729, CS for CS for HB 737, HB 791, CS for HB 899, CS for HB 957, HB 1003, CS for CS for HB 1137, CS for HB 1373, HB 1403, CS for HB 1433, CS for CS for HB 1637, CS for CS for HB 1639, CS for HB 1727, CS for CS for HB 1849, CS for HB 1887, HB 1893, CS for HB 1903, HB 3039, CS for HB 3061, CS for HB 3065, CS for HB 3107, CS for HB 3147, CS for HB 3161, CS for HB 3185, CS for HB 3223, HB 3231, HB 3261, CS for HB 3269, CS for HB 3295, HB 3477, HB 3597; has passed as amended HB 11, HB 65, CS for HB 105, CS for HB 159, CS for HB 161, CS for HB 209, CS for HB 217, CS for HB 231, HB 267, CS for HB 513, CS for HB 585, HB 627, HB 651, HB 671, CS for HB 731, CS for HB 747, HB 755, CS for HB 767, CS for HB 815, CS for HB 825, HB 853, CS for HB 879, CS for HB 921, CS for HB 935, CS for HB 1311, CS for HB 1437; has passed by the required Constitutional three-fifths vote of the membership HJR 125, HJR 1335; has passed as amended by the required Constitutional two-thirds vote of the membership HB 123 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committees on Education Appropriations and Education Innovation and Representative Rodriguez-Chomat and others—

CS for CS for HB 175—A bill to be entitled An act relating to education; creating a pilot program to increase the number of school counselors, contingent upon an appropriation; providing for grant allocations; requiring an evaluation and report; providing an effective date.

—was referred to the Committees on Education; and Ways and Means.

By the Committees on Health Care Standards and Regulatory Reform; Health and Human Services Appropriations; Health Care Standards and Regulatory Reform; and Representative Saunders and others—

CS for CS for CS for HB 349—A bill to be entitled An act relating to the regulation of health care facilities; amending s. 20.42, F.S.; deleting the responsibility of the Division of Health Policy and Cost Control within the Agency for Health Care Administration for reviewing hospital budgets; abolishing the Health Care Board; amending ss. 154.304, 154.306, and 154.312, F.S., relating to health care for indigent persons; revising definitions; conforming references to changes made by the act; amending s. 394.4788, F.S., relating to mental health services; updating provisions relating to duties of the agency formerly performed by the Health Care Cost Containment Board; amending s. 395.0163, F.S.; providing exemptions from construction inspections and investigations by the Agency for Health Care Administration for certain outpatient facilities; providing exceptions; amending s. 395.1055, F.S.; requiring the Agency for Health Care Administration to adopt rules to assure that, following a disaster, licensed facilities are capable of serving as shelters only for patients, staff, and the families of patients and staff; providing for applicability; providing for a report by the agency to the Governor and Legislature; amending s. 395.401, F.S.; providing for certain reports formerly made to the Health Care Board to be made to the agency; amending s. 395.701, F.S., relating to the Public Medical Assistance Trust Fund; revising definitions; amending ss. 395.403, 395.605, 395.7015, and 395.806, F.S.; conforming references; amending ss. 408.05, 408.061, 408.062, and 408.063, F.S., relating to the State Center for Health Statistics and the collection and dissemination of health care information; updating provisions to reflect the assumption by the Agency for Health Care Administration of duties formerly performed by the Health Care Board and the former Department of Health and Rehabilitative Services; authorizing the agency to conduct data-based studies and make recommendations; deleting obsolete provisions; amending s. 408.07, F.S.; deleting definitions made obsolete by the repeal of requirements with respect to hospital budget reviews; amending s. 408.08, F.S.;

deleting provisions requiring the Health Care Board to review the budgets of certain hospitals; deleting requirements that a hospital file budget letters; deleting certain administrative penalties; amending s. 408.40, F.S.; removing a reference to the duties of the Public Counsel with respect to hospital budget review proceedings; amending s. 408.50, F.S.; conforming a reference; amending ss. 409.2673 and 409.9113, F.S., relating to health care programs for low-income persons and the disproportionate share program for teaching hospitals; updating provisions to reflect the abolishment of the Health Care Cost Containment Board and the assumption of its duties by the agency; repealing ss. 395.403(9), 407.61, 408.003, 408.072, and 408.085, F.S., relating to reimbursement of state-sponsored trauma centers, studies by the Health Care Board, appointment of members to the Health Care Board, review of hospital budgets, and budget reviews of comprehensive inpatient rehabilitation hospitals; providing for retroactive application of provisions of the act relating to repeal of review of hospital budgets; amending ss. 381.026 and 381.0261, F.S.; requiring distribution of the Florida Patient's Bill of Rights and Responsibilities; providing penalties; repealing s. 395.002(2) and (15), F.S.; deleting definitions of "adverse or untoward incident" and "injury"; amending s. 395.0193, F.S.; revising provisions relating to facility peer review disciplinary actions against practitioners; requiring a report to the Agency for Health Care Administration; providing penalties; amending s. 395.0197, F.S.; revising provisions relating to internal risk management; defining the term "adverse incident"; requiring certain reports to the agency; including minors in provisions relating to notification of sexual misconduct or abuse; requiring facility corrective action plans; providing penalties; renumbering s. 626.941, F.S., relating to the purpose of the health care risk manager licensure program; renumbering and amending s. 626.942, F.S., relating to the Health Care Risk Manager Advisory Council; renumbering and amending s. 626.943, F.S.; providing powers and duties of the agency; renumbering and amending s. 626.944, F.S., relating to qualifications for health care risk managers; providing for fees; providing for issuance, cancellation, and renewal of licenses; renumbering and amending s. 626.945, F.S., relating to grounds for denial, suspension, or revocation of licenses; amending ss. 394.4787, 395.602, 400.051, 409.905, 440.13, 458.331, 459.015, 468.505, 641.55, and 766.1115, F.S.; conforming references and correcting cross references; transferring the internal risk manager licensure program from the Department of Insurance to the Agency for Health Care Administration; providing an appropriation; providing effective dates.

—was referred to the Committees on Health Care; Banking and Insurance; and Ways and Means.

By the Committee on Agriculture and Representative Minton and others—

CS for HB 489—A bill to be entitled An act relating to ad valorem tax assessment; amending s. 193.461, F.S.; specifying the types of additional use factors that the property appraiser may consider in assessing agricultural land; providing that the property appraiser, when utilizing the income methodology approach, shall rely on 5-year moving average data for assessment; providing an effective date.

—was referred to the Committees on Agriculture; Commerce and Economic Opportunities; and Ways and Means.

By the Committees on Elder Affairs and Long Term Care; Civil Justice and Claims; and Representative Rodriguez-Chomat and others—

CS for CS for HB 547—A bill to be entitled An act relating to mental health; creating the "Robert Newman and Stuart Simon Act of 1998"; amending s. 394.463, F.S.; providing for court hearings on requests for ex parte orders for involuntary examination of mentally ill persons; providing for findings; providing for rescission of orders under certain circumstances; providing for release of persons being held for examination; prohibiting certain administration of drugs without informed consent or a court order; providing an exception; providing penalties; amending s. 394.4599, F.S.; requiring certain notice to the parent or guardian when a minor is involuntarily held; providing an effective date.

—was referred to the Committees on Judiciary; and Children, Families and Seniors.

By the Committee on Elder Affairs and Long Term Care; and Representative Roberts-Burke—

CS for HB 705—A bill to be entitled An act relating to adult family-care homes; amending s. 400.6211, F.S.; requiring the Department of Elderly Affairs to inform providers of financial assistance that may be available to certain residents; directing the department to study the concept of “aging in place” and how to apply it to adult family-care homes; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

By the Committee on Community Affairs and Representative Wallace and others—

CS for HB 729—A bill to be entitled An act relating to the Legislature; creating s. 11.077, F.S., the “Taxpayer Protection Act”; requiring that any general law enacted by the Legislature that will potentially increase the cost of local government personnel salaries, wages, or benefits must include an economic impact statement; providing requirements for the economic impact statement and preparation and publication thereof; providing an effective date.

—was referred to the Committees on Community Affairs; Rules and Calendar; and Ways and Means.

By the Committees on Law Enforcement and Public Safety; Transportation; and Representative Hill and others—

CS for CS for HB 737—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 324.201, F.S.; deleting the requirement that recovery agents notify law enforcement of a license plate seizure; amending s. 324.202, F.S.; expanding into additional counties a pilot project that authorizes a recovery agent or recovery agency to seize the license plate of a motor vehicle following suspension of the vehicle’s registration or suspension of the driver’s license of the owner or operator of the vehicle for failing to maintain personal injury protection; requiring that the department provide procedures for paying fees; amending s. 627.733, F.S.; deleting payment of a fee to recovery agents; providing an effective date.

—was referred to the Committees on Transportation; Banking and Insurance; and Ways and Means.

By Representative Heyman—

HB 791—A bill to be entitled An act relating to municipal water and sewer utilities; amending s. 180.191, F.S.; eliminating limitations on utility rates charged outside municipal boundaries in certain municipalities in home rule charter counties; providing an effective date.

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

By the Committee on Civil Justice and Claims; and Representative Barreiro and others—

CS for HB 899—A bill to be entitled An act relating to vessels; amending ss. 125.0103 and 166.043, F.S.; authorizing counties and municipalities to enact public service rates for towing vessels in the same manner as rates for towing vehicles; amending s. 327.02, F.S.; creating definition of “undocumented vessel”; amending s. 327.52, F.S.; revising language with respect to maximum loading and horsepower requirements for specified vessels and prohibiting the operation of vessels in an overloaded or overpowered condition; amending s. 327.73, F.S.; creating a noncriminal infraction for overloaded and overpowered vessels; amending s. 713.78, F.S.; creating a procedure for liens for towing and storage charges on undocumented vessels in the same manner as currently permitted for vehicles; amending s. 715.07, F.S.; revising the definition of “vehicle” to include an undocumented vessel thereby permitting such a vessel parked on private property without the property owner’s per-

mission to be towed by a wrecker; correcting a cross reference; providing effective dates.

—was referred to the Committees on Transportation, Natural Resources and Judiciary.

By the Committee on Business Development and International Trade; and Representative Culp and others—

CS for HB 957—A bill to be entitled An act relating to electronic commerce; amending s. 117.05, F.S.; specifying that certain seals be used on “paper” documents; creating s. 117.20, F.S.; providing application; specifying “electronic notarization”; providing for the Secretary of State to provide commissions for notaries public to perform electronic notarizations; providing procedures; requiring notice of the compromise of certain keys; providing for suspension under certain circumstances; amending s. 215.322, F.S.; providing for state use of credit cards, charge cards, or debit cards under certain circumstances; amending s. 282.20, F.S.; providing a definition; requiring approval of the Office of Planning and Budgeting for acceptance of any new customer other than a state agency that will use more than a specified percentage of the previous year’s revenue; eliminating the Technology Resource Center data processing policy board; creating s. 282.745, F.S.; authorizing the Secretary of State to establish a voluntary licensure program for private certification authorities; providing for fees; providing for rulemaking; authorizing the Secretary of State to enter into reciprocity agreements with other jurisdictions; amending s. 471.025, F.S.; providing for electronic engineering seals and digital signatures; prohibiting certain activities relating to digitally sealing or signing documents; amending s. 471.033, F.S.; providing for disciplinary action for illegal use of a digital signature; amending s. 472.025, F.S.; providing for electronic land surveying and mapping seals; prohibiting certain activities relating to digitally sealing or signing certain documents; authorizing the Secretary of State to commission Florida international notaries; providing definitions; providing rulemaking authority; authorizing the secretary to charge fees; authorizing the use of authentication methods by international notaries; providing for effect of acts of international notaries; amending ss. 240.289 and 402.18, F.S., to conform; repealing ss. 118.01, 118.02, 118.03, and 118.04, F.S., relating to commissioners of deeds; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; Banking and Insurance; and Ways and Means.

By Representative Crady and others—

HB 1003—A bill to be entitled An act relating to the use of fuel taxes; authorizing the transfer and use of legally restricted fuel taxes by counties having a population of 30,000 or less for unrestricted purposes for all fiscal years prior to and through fiscal year 1997-1998; providing an effective date.

—was referred to the Committees on Community Affairs; Transportation; and Ways and Means.

By the Committees on Health Care Standards and Regulatory Reform; Law Enforcement and Public Safety; and Representative Betancourt and others—

CS for CS for HB 1137—A bill to be entitled An act relating to tests for alcohol, chemical substances, or controlled substances; amending ss. 316.1932 and 316.1933, F.S., relating to implied consent for testing for impairment or intoxication in cases of death or serious bodily injury; authorizing certain health care providers who become aware of a person’s unlawful blood-alcohol level to notify law enforcement officials; prescribing a form for the notice; providing that such notice or failure to provide notice is not a violation of any ethical, moral, or legal duty; prohibiting any action or administrative proceeding being brought against anyone participating in good faith in providing or failing to provide such notice; providing for certain immunity from civil or criminal liability and from any professional disciplinary action; providing for

certain immunity in any judicial proceeding resulting from the notice or failure to provide notice; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Finance and Taxation; and Representative Stafford and others—

CS for HB 1373—A bill to be entitled An act relating to taxation; creating s. 197.4155, F.S.; authorizing county tax collectors to implement an installment payment program for delinquent personal property taxes; providing conditions for participation in the program by taxpayers; providing application requirements; authorizing the tax collector to prescribe an installment payment plan and providing requirements with respect thereto; providing that tax warrants against a taxpayer participating in a plan are unenforceable if specified conditions are met; authorizing the tax collector to use all legally available enforcement methods if taxes due under an installment plan are not paid in full; amending s. 197.432, F.S.; revising requirements for calculating the rate of interest on void tax certificates; prohibiting holders of tax certificates from contacting property owners and demanding payment without approval of the Department of Revenue; amending s. 197.472, F.S.; specifying the amount of interest earned when a tax certificate is redeemed and eliminating a mandatory minimum charge; amending s. 197.172, F.S., relating to interest on tax certificates, to conform; creating s. 213.68, F.S.; specifying the garnishment authority and procedures applicable to counties which self-administer the local option tourist development tax; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Economic Opportunities; and Ways and Means.

By Representative Tobin—

HB 1403—A bill to be entitled An act relating to liens; amending s. 713.01, F.S.; redefining the terms “improve,” “improvement,” “subcontractor,” and “sub-subcontractor” to include reference to solid-waste removal; creating s. 713.596, F.S.; providing for molders’ liens and rights; providing definitions; providing for ownership rights to molds; providing procedures; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Governmental Operations and Representative Brennan—

CS for HB 1433—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; deleting provisions relating to the release of records of the Department of Children and Family Services which pertain to the investigation of the death of a disabled adult or elderly person as a result of abuse, neglect, or exploitation or the death of a child as a result of abuse, neglect, or abandonment; amending s. 415.107, F.S., and repealing s. 415.107(1)(b), F.S.; revising provisions relating to release of records in the event of the death of a disabled adult or elderly person as a result of abuse, neglect, or exploitation; amending s. 415.51, F.S., and repealing s. 415.51(1)(b), F.S.; revising provisions relating to release of records in the event of the death of a child as a result of abuse, abandonment, or neglect; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Governmental Reform and Oversight.

By the Committees on Law Enforcement and Public Safety; Governmental Operations; and Representative Hill—

CS for CS for HB 1637—A bill to be entitled An act relating to confidentiality of identifying information regarding domestic violence victims; creating s. 741.401, F.S.; providing legislative findings and purpose; creating s. 741.402, F.S.; providing definitions; creating s. 741.403, F.S.; providing for creation of the Address Confidentiality Program for Victims of Domestic Violence; providing for certification by the Attorney

General of applicants to participate in the program; defining the offense of falsely attesting or knowingly providing false or incorrect information in such program application, and providing second degree misdemeanor penalties therefor; defining the offense of attempting to gain access to a program participant’s actual address through fraud, and providing third degree felony penalties therefor; creating s. 741.404, F.S.; providing for certification cancellation; creating s. 741.405, F.S.; providing authority of state and local agencies and other governmental entities and guidelines relating to use of designated address; providing for appeal by agency of requested waiver; creating s. 741.406, F.S.; providing for voting by program participants in the same manner as absentee voters; prohibiting the supervisor of elections from disclosing certain information, except under specified circumstances; creating s. 741.407, F.S.; prohibiting disclosure of addresses and certain information, except under specified circumstances; requiring immediate written notification by the Attorney General to a program participant with respect to certain disclosure of information; creating s. 741.408, F.S.; providing for certain assistance for program applicants; creating s. 741.409, F.S.; providing for adoption of rules; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Ways and Means.

By the Committees on Law Enforcement and Public Safety; Governmental Operations; and Representative Hill—

CS for CS for HB 1639—A bill to be entitled An act relating to public records; creating s. 741.465, F.S.; providing an exemption from public records requirements for certain personal information about program participants in the Address Confidentiality Program for Victims of Domestic Violence; providing exceptions; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

By the Committee on Crime and Punishment; and Representative Livingston—

CS for HB 1727—A bill to be entitled An act relating to assault and battery upon code inspectors; creating s. 784.083, F.S.; providing enhanced penalties for assault or aggravated assault or battery or aggravated battery upon a “code inspector,” as defined; amending s. 921.0022, F.S., relating to the Criminal Punishment Code offense severity ranking chart; providing for ranking of the offenses of aggravated assault upon a code inspector, battery upon a code inspector, and aggravated battery upon a code inspector; providing an effective date.

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

By the Committees on Governmental Operations; Children and Family Empowerment; and Representative Murman and others—

CS for CS for HB 1849—A bill to be entitled An act relating to public records; amending s. 409.175, F.S.; providing an exemption from public records requirements for specified personal information contained in licensing files concerning persons licensed to be family foster parents and their spouses, children, and other adult household members; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Governmental Reform and Oversight.

By the Committee on Governmental Operations and Representative Ball—

CS for HB 1887—A bill to be entitled An act relating to confidentiality of records and meetings of the Florida Automobile Joint Underwriting Association; amending s. 627.311, F.S.; providing exemptions from

public records requirements for underwriting files, open claim files, audit records for a specified time, matters reasonably encompassed in privileged attorney-client communications, licensed proprietary information made confidential by contract, certain employee medical records and employee assistance programs records, certain negotiation information for a specified time, minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding claims files for a specified time; providing requirements regarding sharing of confidential records; providing an exemption from public meetings requirements for meetings during which underwriting files or open claims files are discussed; providing requirements regarding such closed meetings and records thereof; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Governmental Reform and Oversight.

By Representative Fasano and others—

HB 1893—A bill to be entitled An act relating to designation of state buildings; designating a state veterans' nursing home in Land O' Lakes, Pasco County, as the "Baldomero Lopez State Veterans' Nursing Home"; providing an effective date.

—was referred to the Committee on Community Affairs.

By the Committees on Governmental Operations; Real Property and Probate; and Representative Crow—

CS for HB 1903—A bill to be entitled An act relating to records of the Division of Florida Land Sales, Condominiums, and Mobile Homes; amending s. 498.047, F.S.; providing an exemption from public records requirements for information relative to an investigation by the division under the Florida Uniform Land Sales Practices Law for a specified period; providing for continued exemption for certain information relative to such investigation under certain conditions; authorizing certain disclosure of such information; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Regulated Industries; and Governmental Reform and Oversight.

By Representative Fasano—

HB 3039—A bill to be entitled An act relating to husband and wife; creating s. 741.2105, F.S.; prohibiting marriages between persons when one of the persons has been convicted of a capital felony for which a death sentence has been imposed; providing an exception; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Governmental Operations and Representative Minton and others—

CS for HB 3061—A bill to be entitled An act relating to airports; amending s. 330.30, F.S.; exempting certain airports used exclusively for aerial application or spraying of crops on a seasonal basis from a provision of law providing for the approval of airport sites and the licensing of airports; providing an effective date.

—was referred to the Committees on Transportation; and Ways and Means.

By the Committee on Governmental Operations and Representative Kelly and others—

CS for HB 3065—A bill to be entitled An act relating to building, bridge, and overpass designations; designating the Florida Department

of Transportation District Five headquarters building located in Volusia County as the "Ben G. Watts Building"; designating a specified bridge in Pasco County as the "Father Felix Ullrich Bridge"; designating Fiske Boulevard overpass at Interstate Highway 95 in Rockledge as the "Jack I. Korenblit Overpass"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Crime and Punishment; and Representative Fasano and others—

CS for HB 3107—A bill to be entitled An act relating to sexual predator registration; amending s. 775.21, F.S.; revising an exception to sexual predator registration requirements; revising the conditions for removal of sexual predator designation by the court; requiring filing of the petition for removal in the circuit of the sexual predator's residence; extending from 10 years to 20 years the minimum period following the sexual predator's release during which the predator may not have been arrested before petitioning the court to remove the sexual predator designation; requiring the petitioner to make certain demonstrations to the court with respect to lack of arrest and compliance with federal standards for removal of designation as a predator; permitting the removal of designation only when the court is satisfied the petitioner is not a threat to the public safety; requiring specified notice of hearing on the petition to the state attorney in the circuit where filed; allowing the state attorney to present evidence in opposition to the petition; allowing the court to establish date for rehearing of petition, if denied; providing an effective date.

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

By the Committee on Community Affairs and Representative Heyman—

CS for HB 3147—A bill to be entitled An act relating to blind services; amending s. 413.08, F.S.; prohibiting a person from interfering with a person who is engaged in training a dog guide or service dog; providing penalties; amending s. 413.011, F.S.; revising provisions relating to the Advisory Council for the Blind within the Department of Labor and Employment Security; providing definitions; providing composition of the council; providing for appointment of members; providing for terms; providing functions of the council; requiring the preparation of a resource plan; providing for staff; providing for meetings of the council; authorizing the council to conduct forums and hearings; providing for open meetings; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; and Criminal Justice.

By the Committee on Governmental Operations and Representative Mackenzie—

CS for HB 3161—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.532, F.S.; providing requirements with respect to recordings made during the formal interrogation of a law enforcement or correctional officer; amending s. 112.533, F.S.; providing for rights of law enforcement and correctional officers to review their personnel files, attach a response, and receive a copy of certain materials in the file; providing for application to the release of certain information; amending s. 943.135, F.S.; permitting law enforcement officers who are elected or appointed public officials to maintain certification in a special status while holding office; providing an effective date.

—was referred to the Committees on Criminal Justice; and Executive Business, Ethics and Elections.

By the Committee on Utilities and Communications; and Representative Thrasher and others—

CS for HB 3185—A bill to be entitled An act relating to the Public Service Commission; amending s. 367.081, F.S.; limiting the commission's consideration of contributions-in-aid-of-construction under certain circumstances; providing construction; requiring the commission to approve rates for certain services under certain circumstances; providing construction; providing an effective date.

—was referred to the Committee on Regulated Industries.

By the Committee on Real Property and Probate; and Representative Dockery—

CS for HB 3223—A bill to be entitled An act relating to land platting; amending s. 177.031, F.S.; defining terms relating to platting; amending s. 177.041, F.S.; requiring plats and replats of subdivisions submitted for approval to be accompanied by a boundary survey of the platted lands; amending s. 177.051, F.S.; revising provisions relating to naming and replatting subdivisions; amending s. 177.061, F.S.; providing requirements for the recording of a plat; amending s. 177.071, F.S.; revising provisions relating to approval of plats by governing bodies; amending s. 177.081, F.S.; requiring plats to be reviewed by a professional surveyor and mapper before approval by a governing body; amending s. 177.091, F.S.; providing requirements for monuments and revising other requirements of plats made for recording; amending s. 177.101, F.S.; providing for the vacation and annulment of prior plats; amending s. 177.141, F.S.; revising provisions relating to affidavits confirming errors on recorded plats; amending s. 177.151, F.S.; revising provisions relating to state plane coordinates; amending ss. 177.021, 177.121, 177.131, 177.132, 177.27, 177.38, F.S.; conforming references; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Representative Burroughs and others—

HB 3231—A bill to be entitled An act relating to rural hospitals; amending ss. 395.602 and 408.07, F.S.; revising a definition; requiring a study; providing an effective date.

—was referred to the Committees on Health Care; and Ways and Means.

By Representative Culp and others—

HB 3261—A bill to be entitled An act relating to telecommuting; repealing s. 3 of ch. 94-113, Laws of Florida; abrogating the repeal of s. 110.171, F.S., which establishes the state employee telecommuting program; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

By the Committee on Community Affairs and Representative Gay—

CS for HB 3269—A bill to be entitled An act relating to special districts; amending s. 189.4042, F.S.; specifying procedures for merger or dissolution of independent special districts created by a county or municipality; amending s. 189.405, F.S.; revising the amount of the filing fee and the number of required signatures on petitions in provisions which specify how candidates for the governing board of certain single-county and multicounty special districts shall qualify; amending s. 189.429, F.S., and s. 15, ch. 97-256, Laws of Florida, which require special districts, including fire control districts, to submit draft codified charters to the Legislature; revising the deadline and requirements for such codification; providing that the Legislature may adopt a schedule for codification; amending s. 215.425, F.S.; authorizing extra compensation for special district employees pursuant to resolution; amending s.

191.006, F.S., relating to powers of independent special fire control districts, to conform; providing effective dates.

—was referred to the Committees on Community Affairs; Governmental Reform and Oversight; and Rules and Calendar.

By the Committee on Business Regulation and Consumer Affairs; and Representative Trovillion and others—

CS for HB 3295—A bill to be entitled An act relating to fire prevention and control; amending s. 633.537, F.S.; changing expiration and renewal of certificates of competency for fire protection contractors from an annual to a biennial basis; revising continuing education requirements and providing transitional continuing education requirements, to conform; amending s. 633.524, F.S.; increasing the renewal fee, to conform; amending s. 633.60, F.S., relating to engaging in the business or acting in the capacity of a contractor of automatic fire sprinkler systems, to conform; providing an effective date.

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

By Representative Bronson—

HB 3477—A bill to be entitled An act relating to determination of millage; amending s. 200.065, F.S.; authorizing taxing authorities to adopt the tax levies and budgets of their dependent special taxing districts by single votes, unless a member of the public requests a separate discussion and vote for the tax levy or budget of any such district; providing an effective date.

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

By the Committee on Financial Services and Representative Safley and others—

HB 3597—A bill to be entitled An act relating to insurance for family day care homes; creating s. 627.70161, F.S.; providing legislative intent; providing definitions; providing an exclusion from liability coverage under residential property insurance policies for losses arising out of the operation of a family day care home; prohibiting cancellation, refusal to renew, or denial of coverage for residential property insurance due to family day care operations; providing exceptions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Representative Saunders and others—

HB 11—A bill to be entitled An act relating to victim assistance; amending s. 960.001, F.S.; providing that the victim of a crime and the state attorney, upon the victim's consent, have standing to assert the rights of the victim; providing an effective date.

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

By Representative Constantine and others—

HB 65—A bill to be entitled An act relating to crime prevention assistance; repealing ss. 426.001, 426.002, 426.003, 426.004, 426.005, 426.006, 426.007, 426.008, and 426.009, F.S., relating to crime prevention assistance; amending ss. 938.09 and 938.11, F.S., to conform; providing an effective date.

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

By the Committee on Children and Family Empowerment; and Representative Jones and others—

CS for HB 105—A bill to be entitled An act relating to distribution of surplus food; amending s. 570.0725, F.S.; providing legislative intent; providing application; requiring certain persons and organizations to make reasonable efforts to provide, collect, transport, and distribute certain excess or surplus food; amending s. 768.136, F.S.; providing definitions; clarifying application; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

By the Committee on Community Colleges and Career Prep; and Representative Dennis and others—

CS for HB 159—A bill to be entitled An act relating to community colleges; amending s. 240.498, F.S., relating to the Florida Education Fund; establishing the Community Faculty Diversity Program; providing for fellowships; requiring service or repayment; providing an effective date.

—was referred to the Committees on Education; and Ways and Means.

By the Committee on Education/K-12 and Representative Dennis—

CS for HB 161—A bill to be entitled An act relating to education paraprofessionals; amending ss. 228.041, 228.056, 231.141, 231.15, 231.3605, 231.40, 240.40685, and 121.091, F.S.; replacing the term “teacher aide” with the term “education paraprofessional”; requiring the State Board of Education to classify school services and prescribe rules; creating s. 231.143, F.S.; authorizing school districts to adopt a program for the career development of education paraprofessionals; specifying levels of achievement that paraprofessionals can attain through the program; providing restrictions; providing an effective date.

—was referred to the Committees on Education; and Ways and Means.

By the Committee on Agriculture and Representative Ziebarth and others—

CS for HB 209—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.02, F.S.; providing a definition of “self-propelled farm equipment,” “power-drawn farm equipment,” “power-driven farm equipment,” and “forest”; amending s. 212.08, F.S.; revising application of the partial exemption for self-propelled or power-drawn farm equipment; including power-driven farm equipment within such exemption; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By the Committee on Election Reform and Representative Putnam and others—

CS for HB 217—A bill to be entitled An act relating to elections; amending s. 106.17, F.S.; prohibiting state agencies from soliciting pledges or authorizing or conducting polls or surveys relating to candidates for public office; exempting polls or surveys conducted by institutions of higher learning for research purposes; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Governmental Reform and Oversight.

By the Committee on Governmental Operations and Representative Lippman and others—

CS for HB 231—A bill to be entitled An act relating to illegal aliens; amending s. 287.012, F.S.; providing that, to be a “qualified bidder” with respect to providing personal property or services, a person must comply with any contract conditions prohibiting the employment of illegal aliens, as defined; amending s. 287.057, F.S.; requiring that invitations to bid, requests for proposal, and contracts shall contain notice specifying that contracts with a contractor who knowingly employs illegal aliens shall be subject to unilateral cancellation; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Commerce and Economic Opportunities.

By Representative Carlton and others—

HB 267—A bill to be entitled An act relating to campaign financing; amending s. 106.07, F.S.; revising reporting requirements applicable to candidates for other than statewide office who qualify with the Department of State; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By the Committee on Juvenile Justice and Representative Rayson and others—

CS for HB 513—A bill to be entitled An act relating to juvenile and criminal justice; amending s. 985.216, F.S., relating to punishment of a delinquent child for contempt of court and alternative sanctions; removing certain time limitations upon placement of delinquent child held in contempt in a secure detention facility or secure residential commitment facility; amending s. 985.414, F.S., relating to district juvenile justice boards; conforming provisions to reflect the creation of the Department of Children and Family Services; requiring that specified entities participate in the interagency agreement developed by the county juvenile justice council; specifying information to be included in the agreement; amending s. 985.415, F.S., relating to Community Juvenile Justice Partnership Grants; clarifying the minimum requirements to be included in an application for a community juvenile justice partnership grant; revising requirements for application for a community juvenile justice partnership grant to remove requirement for participation of the Department of Health and Rehabilitative Services; amending s. 985.215, F.S., relating to detention; providing for continued detention of a child who has failed to appear in court on two separate occasions on the same case; providing for extension up to 30 days of the time limits upon detention of a child, under specified circumstances; reenacting ss. 985.211(4), 985.213(2)(b), 985.219(5), 985.208(1), F.S., relating to release or delivery from custody, use of detention, process and service, and detention of furloughed or escaped child, to incorporate said amendment in references; amending s. 985.209, F.S.; authorizing establishment of truancy programs by juvenile justice assessment centers; defining “truant student” to include enrolled students between 6 years of age and 18 years of age; amending s. 230.23161, F.S., relating to educational services in Department of Juvenile Justice programs; providing a maximum limitation on administrative costs under certain contracts by school districts for such programs; amending s. 806.13, F.S., relating to criminal mischief; redefining first degree misdemeanor criminal mischief offense to include damage to property greater than \$200 but less than \$500, and providing penalties therefor; redefining third degree felony criminal mischief to include certain damages of \$500 or greater, and providing penalties therefor; amending s. 921.0022, F.S., relating to the Criminal Punishment Code offense severity ranking chart, to conform a cross reference; amending s. 812.014, F.S., relating to theft; providing second degree felony penalties for a person who commits grand theft of a motor vehicle and who has previously been convicted two or more times of motor vehicle theft; reenacting ss. 538.23(2) and 985.227(2)(c), F.S., relating to offenses by secondary metal recyclers and transfer of child for prosecution, to incorporate said amendment in references; requiring cooperative agreements between the Department of Juvenile Justice and the Department of Children and Family Services for the provision of mental health and substance abuse treatment services to youth in the

juvenile justice system; requiring the Office of Program Policy Analysis and Government Accountability to conduct a performance review of the provision of mental health and substance abuse treatment services to youth in the juvenile justice system; requiring a report; amending s. 985.234, F.S.; providing for appeal by the state of an order denying restitution, under certain circumstances when the order affects a party to a case involving delinquency; providing effective dates.

—was referred to the Committees on Criminal Justice; Children, Families and Seniors; and Ways and Means.

By the Committee on Family Law and Children; and Representative Murman and others—

CS for HB 585—A bill to be entitled An act relating to adoption of foster children; amending s. 39.469, F.S.; allowing communication or contact with siblings after termination of parental rights; amending s. 63.022(2), F.S.; providing legislative intent for continuing sibling contact; creating s. 63.0427, F.S.; providing for an adopted minor's right to continued communication or contact with siblings; providing an effective date.

—was referred to the Committees on Judiciary; and Children, Families and Seniors.

By Representative Goode and others—

HB 627—A bill to be entitled An act relating to community redevelopment and neighborhood improvement; amending s. 163.340, F.S.; including the reduction or prevention of crime within community redevelopment activities under the Community Redevelopment Act of 1969 and defining "community policing innovation"; amending ss. 163.345, 163.350, 163.356, 163.358, 163.360, 163.361, 163.370, 163.380 and 163.387, F.S.; including the development and implementation of community policing innovations in provisions relating to the encouragement of private enterprise participation in redevelopment, elements of the workable program, exercise of powers under the act, and elements of the community redevelopment plan; authorizing the county or municipality to appropriate funds for community policing innovations; authorizing use of moneys in the redevelopment trust fund for community policing innovations; providing an additional requirement for acquisition of land for nonresidential uses; subject to specified conditions, authorizing a county, municipality, or community redevelopment agency to acquire and dispose of certain properties immediately adjacent to existing projects without complying with specified disposition procedures; amending ss. 163.502, 163.503, 163.506, 163.511, 163.512, 163.513, 163.514, 163.516, 163.519, and 163.521, F.S.; including crime prevention through development and implementation of community policing innovations in powers of neighborhood improvement districts under the Safe Neighborhoods Act; authorizing use of special assessments for community policing innovations; including community policing innovations within safe neighborhood improvement plans; providing duties of the Department of Legal Affairs with respect to community policing innovations; including capital improvements related to community policing innovations in provisions which authorize certain local governments to request state funding for certain capital improvements; creating s. 943.1729, F.S.; authorizing the Criminal Justice Standards and Training Commission to incorporate community policing concepts into law enforcement officers' certification curriculum and establish a community policing continued-employment training component for such officers; providing an effective date.

—was referred to the Committee on Community Affairs.

By Representative Posey and others—

HB 651—A bill to be entitled An act relating to elections; providing a short title; providing a statement of legislative intent; amending s. 104.271, F.S.; expanding applicability of the prohibition against making false or malicious charges against, or false statements about, candidates; eliminating the requirement of actual malice in the prohibition against making false statements about candidates and providing for

personal liability with respect thereto; clarifying and providing penalties; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; Criminal Justice; and Ways and Means.

By Representative Livingston and others—

HB 671—A bill to be entitled An act relating to contracting; amending ss. 489.127 and 489.531, F.S.; providing for similar penalties for unlicensed violations with respect to construction contracting and electrical contracting; providing for additional penalties for certain violations; providing an effective date.

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

By the Committee on Election Reform and Representative Andrews and others—

CS for HB 731—A bill to be entitled An act relating to political advertisements; creating s. 106.1433, F.S.; providing requirements for use of changed images in political advertisements; providing definitions; providing penalties; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By the Committee on Finance and Taxation; and Representative K. Pruitt and others—

CS for HB 747—A bill to be entitled An act relating to tax on sales, use, and other transactions; providing that no tax on certain purchases by, and revenues of, a chamber of commerce not actually paid or collected before a specified date shall be due from that chamber of commerce; providing for refund of certain taxes paid; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Representative Constantine and others—

HB 755—A bill to be entitled An act relating to education; amending s. 110.131, F.S.; deleting the requirement that the Board of Regents comply with recordkeeping and reporting requirements for other-personal-services employment; amending s. 235.055, F.S.; deleting authority of the Board of Regents to construct facilities on leased property and enter into certain leases; amending s. 235.195, F.S.; modifying provisions relating to joint-use facilities; amending s. 240.1201, F.S.; classifying specified Canadian military personnel as residents for tuition purposes; amending s. 240.147, F.S.; correcting a cross reference; amending s. 240.205, F.S.; revising the acquisition and contracting authority of the Board of Regents; amending s. 240.209, F.S.; authorizing procedures to administer an acquisition program; authorizing the Board of Regents to sell, convey, transfer, exchange, trade, or purchase real property and related improvements; providing requirements; amending s. 240.214, F.S.; revising provisions relating to the State University System accountability process; amending s. 240.227, F.S.; revising the acquisition and contracting authority of university presidents; authorizing adjustment of property records and disposal of certain tangible personal property; amending s. 240.289, F.S.; revising rulemaking for credit card, charge card, or debit card use; amending s. 243.151, F.S.; providing a procedure under which a university may construct facilities on leased property; amending s. 287.012, F.S.; excluding the Board of Regents and the State University System from the term "agency" for purposes of state procurement of commodities and services; repealing ss. 240.225, 240.247, 240.4988(4), and 287.017(3), F.S., relating to delegation of authority by the Department of Management Services to the State University System, eradication of salary discrimination, Board of Regents' rules for the Theodore R. and Vivian M. Johnson Scholarship Program,

and applicability of purchasing category rules to the State University System; amending s. 240.2475, F.S., relating to the State University System equity accountability program; requiring each state university to maintain an equity plan to increase the representation of women and minorities in faculty and administrative positions; providing for the submission of reports; requiring the development of a plan for achievement of equity; providing for administrative evaluations; requiring the development of a budgetary incentive plan; providing for an appropriation; amending s. 240.3355, F.S., relating to the State Community College System equity accountability program; requiring each community college to maintain a plan to increase the representation of women and minorities in faculty and administrative positions; providing contents of an employment accountability plan; requiring the development of a plan for corrective action; providing for administrative evaluations; providing for submission of reports; requiring the development of a budgetary incentive plan; providing an effective date.

—was referred to the Committees on Education; Governmental Reform and Oversight; and Ways and Means.

By the Committee on Crime and Punishment; and Representative Hill—

CS for HB 767—A bill to be entitled An act relating to violations involving checks; amending s. 68.065, F.S.; providing for triple damages, court costs, and attorney's fees with respect to certain civil actions to recover fines due on stop payments on checks, drafts, or orders of payment; amending s. 166.251, F.S.; revising language with respect to service fee for dishonored checks; amending s. 832.07, F.S., relating to prima facie evidence of identity with regard to prosecution of bad check charges; removing "race" as a required element of establishing the identity of the person presenting the check; providing an effective date.

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

By the Committee on Governmental Operations and Representative Wallace—

CS for HB 815—A bill to be entitled An act relating to state government; providing legislative intent; providing duties of procuring agencies relating to procurement contracts; imposing certain duties on the Comptroller; providing application; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

By the Committee on Governmental Rules and Regulations; and Representative Valdes and others—

CS for HB 825—A bill to be entitled An act relating to efficiency in government; providing legislative intent; directing the Department of Management Services to work with executive agencies to reduce the layers of management in agencies and to increase agency-wide employee-to-supervisor ratios; providing for reports; requiring notification; directing the department to simplify the state's job classification system; providing for reports; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

By Representative Trovillion—

HB 853—A bill to be entitled An act relating to building code administrators and inspectors; amending s. 468.603, F.S.; providing an additional definition; amending s. 468.609, F.S.; providing a limitation in certain postsecondary education requirements; providing additional eligibility to take a certification examination; authorizing certain newly employed persons to perform plans examiner or inspector duties under certain circumstances; amending s. 468.617, F.S.; providing for local

governments to contract for plans examinations; providing an effective date.

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

By the Committee on Governmental Rules and Regulations; and Representative Posey and others—

CS for HB 879—A bill to be entitled An act relating to administrative procedure; creating s. 120.571, F.S., the "Agency Accountability Act"; providing for court orders imposing liability upon an agency which has made a determination affecting the substantial interests of a party based on a grossly negligent assessment of material facts, under specified circumstances; providing for agency liability for actual damages and attorney's fees incurred by the party suffering financial harm as a result of the determination; providing for waiver of sovereign immunity; specifying applicability; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Judiciary.

By the Committee on Education/K-12 and Representative Boyd and others—

CS for HB 921—A bill to be entitled An act relating to expenditure requirements for education programs; amending s. 236.081, F.S., relating to funds for operation of schools; requiring school districts to allocate at least 80 percent of specified funds to the schools generating the funds; providing an effective date.

—was referred to the Committees on Education; and Ways and Means.

By the Committee on Civil Justice and Claims; and Representative Warner—

CS for HB 935—A bill to be entitled An act relating to legal process; amending s. 48.031, F.S., relating to service upon a sole proprietorship; providing that substitute service may be made upon person in charge of the business at the time of service, under specified circumstances; amending s. 48.183, F.S.; providing for service of process in an action for possession of residential premises; amending s. 48.27, F.S.; providing for application and fee for inclusion on list of certified process servers; authorizing certain service when a civil action has been filed in a circuit or county court in the state; amending s. 55.03, F.S., relating to docketing and indexing of civil process generally; revising provisions relating to rate of interest; providing an exception from certain docketing and indexing or collection requirements when rate of interest is not on the face of the process, writ, judgment, or decree; amending s. 56.27, F.S., relating to payment to execution creditor of money collected; providing for payment to a junior writ of certain surplus moneys collected; amending s. 56.28, F.S.; requiring written demand by plaintiff as a condition for officer's liability to pay over within 10 days certain moneys collected; providing an effective date.

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

By the Committee on Financial Services and Representative Ball and others—

CS for HB 1311—A bill to be entitled An act relating to Florida Life and Health Guaranty Association assessments; amending s. 631.718, F.S.; revising a provision providing a preferential rate of assessment for insurance companies that issue certain annuity contracts; providing an effective date.

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

By the Committee on Health Care Standards and Regulatory Reform; and Representative Saunders—

CS for HB 1437—A bill to be entitled An act relating to public records and meetings; amending s. 408.7056, F.S.; providing an exemption from public records requirements for certain personal information in documents, reports, or records prepared or reviewed by a provider and subscriber assistance panel or obtained by the Agency for Health Care Administration; providing an exemption for portions of meetings of such panels when such information, or trade secret or internal risk management program information, is discussed; requiring recording of closed meetings; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Health Care; and Governmental Reform and Oversight.

By Representative Gay and others—

HJR 125—A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution relating to recording of instruments.

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

By the Committee on Finance and Taxation; and Representative Starks and others—

HJR 1335—A joint resolution proposing an amendment to Section 3 of Article VII and the creation of Section 22 of Article XII of the State Constitution relating to exemption from ad valorem taxation of certain tangible personal property.

—was referred to the Committees on Commerce and Economic Opportunities; Rules and Calendar; and Ways and Means.

By Representative Wasserman Schultz and others—

HB 123—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term “special risk member”; amending s. 121.0515, F.S.; adding to the Special Risk Class of membership certain emergency medical technicians and paramedics; providing legislative intent; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; Community Affairs; and Ways and Means.

RETURNING MESSAGES—FINAL ACTION

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed SB 112.

John B. Phelps, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 18 was corrected and approved.

CO-SPONSORS

Senator Ostalkiewicz—SB 1882

RECESS

On motion by Senator Bankhead, the Senate recessed at 10:04 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Friday, March 20.