



Journal of the Senate

Number 8—Regular Session

Wednesday, March 25, 1998

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CALL TO ORDER

The Senate was called to order by President Jennings at 1:00 p.m. A quorum present—35:

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

Excused: Senator Bankhead

PRAYER

The following prayer was offered by Rev. Roger Pursley, Minister of Music, Fellowship Baptist Church, Tallahassee:

O God, the creator and sustainer of all life, we thank you for another day to live and be a part of your kingdom work here on earth. We ask your blessings on the proceedings and the assemblage today in this Senate chamber. May all that is accomplished today be in accordance with your divine plan.

Guide each decision and discussion for the good of all in the great state of Florida. We ask all this in your name. Amen.

PLEDGE

Senate Pages Laura Cotton of Tallahassee and Eric Harrison of Jacksonville Beach, 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 Forman—

By Senators Forman and Sullivan—

SR 158—A resolution commending the osteopathic physicians of this state and recognizing March 24, 1998, as Osteopathic Medicine Day.

WHEREAS, osteopathic physicians offer health care services to more than 10 percent of the population, primarily in the area of primary care, and

WHEREAS, osteopathic physicians provide primary care services to their patients in more than 84 million patient visits in this country each year, and

WHEREAS, this state has 10 accredited osteopathic hospitals, an osteopathic medical college, and the fourth largest osteopathic physician population in the United States, and

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

WHEREAS, osteopathic physicians provide comprehensive medical care, including preventive medicine, diagnoses, and the appropriate use of drugs, surgery, manipulation, and hospital referrals, NOW, THEREFORE,

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

That the Florida Senate commends the osteopathic physicians of this state for their contributions to the health and welfare of the residents of this state and recognizes March 24, 1998, as Osteopathic Medicine Day.

—**SR 158** was introduced, read and adopted by publication.

At the request of Senator Myers—

By Senator Myers—

SR 1942—A resolution recognizing National Kidney Month.

WHEREAS, 20 million Americans suffer from kidney disease, resulting in more than 50,000 chronic kidney-failure-related deaths annually, and

WHEREAS, diabetes and high blood pressure account for 66 percent of the new cases of chronic kidney failure diagnosed each year, and

WHEREAS, more than 260,000 Americans, including 12,000 Floridians, suffer from chronic kidney failure and need dialysis by an artificial kidney machine or kidney transplantation to stay alive, and

WHEREAS, the National Kidney Foundation is the major voluntary health agency seeking the total answer to diseases of the kidney, nationally and in Florida, and

WHEREAS, the National Kidney Foundation is universally respected and recognized as a leader in research and the effort to promote public awareness and the need for organ donations, and

WHEREAS, the volunteers and staff of the National Kidney Foundation of Florida spend countless hours working to help ease the plight of dialysis patients, transplant recipients, and others suffering from kidney disease, and

WHEREAS, the month of March is acknowledged as National Kidney Month, NOW, THEREFORE,

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

That this legislative body recognizes the month of March, 1998, as "National Kidney Month" in Florida, and urges everyone to join in ac-

knowledging the work of the National Kidney Foundation of Florida and its dedicated volunteers and staff for their unselfish commitment to others.

—**SR 1942** was introduced, read and adopted by publication.

At the request of Senator Williams—

By Senator Williams—

SR 2468—A resolution recognizing Tuesday, March 24, 1998, as Florida Federation of Garden Clubs' Legislative Day.

WHEREAS, on January 7, 1925, the Florida Federation of Garden Clubs, Inc., adopted its constitution and bylaws, and

WHEREAS, the founders of the organization subsequently embarked on a program of beautification, education, and scientific activities which, both then and today, reflects the desire to work in harmony and unity for the good of its members, the public, and the State of Florida as a whole, and

WHEREAS, from its inception, the Florida Federation of Garden Clubs has been interested in maintaining Florida's natural beauty along its roadsides and has supported scenic beauty and stressed conservation of natural resources, and

WHEREAS, members of garden clubs have encouraged the erection of memorials to veterans of the United States Armed Forces, and

WHEREAS, more than 6,500 youth gardeners are registered by garden clubs and actively involved in gardening projects, and

WHEREAS, SEEK (Save the Earth's Environment through Knowledge), an advanced-level youth environmental conference for outstanding high school students who are entering the 10th, 11th, and 12th grades, is held annually by the federation, and

WHEREAS, FFGC Wekiva Youth Camp, located in Wekiva Springs State Park and developed through a cooperative effort by the Florida Federation of Garden Clubs and the Florida Department of Natural Resources in 1974, is operated for students in grades 3 through 8 during 6 weeks each summer and has 104 campers per week, and

WHEREAS, the Hurricane Andrew Tree Project has been completed with the planting of 405 eight-foot to ten-foot trees at nine Homestead schools, and

WHEREAS, the 21,000 members of garden clubs throughout the Sunshine State continue to plant wildflowers on our roadsides, thus truly making our highways "Paths of Sunshine," NOW, THEREFORE,

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

That the Florida Senate recognizes Tuesday, March 24, 1998, as Florida Federation of Garden Clubs' Legislative Day and invites all the residents of this state to join in celebrating the achievements of our garden clubs.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Florida Federation of Garden Clubs as a tangible token of the esteem of the Florida Senate.

—**SR 2468** was introduced, read and adopted by publication.

At the request of Senator Jones—

By Senator Jones—

SR 2482—A resolution recognizing March 24, 1998, as "Stop Day Enough Is Enough Day" in this state.

WHEREAS, the Miami-Dade County public schools and the United Teachers of Dade initiated the "Stop Day Enough Is Enough" program in the Miami-Dade public school system in 1994, to proclaim that violence and weapons will not be tolerated in that school system, and

WHEREAS, the "Stop Day Enough Is Enough" program has been observed in each succeeding year in the Miami-Dade public schools, and

WHEREAS, the Florida School Boards Association and the the Florida Association of School Superintendents have endorsed the "Stop Day Enough Is Enough" program and have requested that it be implemented in all public school systems in this state, and

WHEREAS, this year's "Stop Day Enough Is Enough" program will be conducted at 10:30 a.m. on March 24, 1998, during which the Governor and Commissioner of Education will administer a televised pledge that will be viewed in all the school districts in the state, and

WHEREAS, the "Stop Day Enough Is Enough" program encourages schools to create special projects, events, and lessons that focus on reducing violence, improving skills for conflict resolution, and enhancing respect for others in order to make the public school systems in this state safer and more disciplined environments, and

WHEREAS, the Florida Senate encourages the goals of the "Stop Day Enough Is Enough" program, NOW, THEREFORE,

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

That March 24, 1998, is recognized as "Stop Day Enough Is Enough Day" in this state.

BE IT FURTHER RESOLVED that all persons in this state are encouraged to wear white clothing and white ribbons and to drive with their vehicle headlights on during this day to emphasize their commitment to stopping violence.

—**SR 2482** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Holzendorf, by two-thirds vote **SB 122**, **SB 1712** and **SB 2094** were withdrawn from the committees of reference and further consideration.

On motion by Senator Forman, by two-thirds vote **SB 556** was withdrawn from the committees of reference and further consideration.

On motion by Senator Kurth, by two-thirds vote **SB 2010** was withdrawn from the committees of reference and further consideration.

On motion by Senator Clary, by two-thirds vote **SB 1918** and **SB 2066** were withdrawn from the committees of reference and further consideration.

On motion by Senator Sullivan, by two-thirds vote **SJR 246**, **SB 304**, **CS for SB 340**, **SB 410**, **CS for SB 650**, **SB 668**, **CS for SB 812**, **CS for SB 914**, **SB 982**, **SB 1262** and **SB 2222** were withdrawn from the Committee on Ways and Means; **SB 548** was removed from the calendar and referred to the Committee on Ways and Means; and **SB 1604** was also referred to the Committee on Ways and Means.

On motion by Senator Clary, by two-thirds vote **SB 2260** was withdrawn from the committee of reference and further consideration.

On motion by Senator Kirkpatrick, by two-thirds vote **SB 530** was withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Diaz-Balart, a deadline of 5:00 p.m. Tuesday, March 31, was set for filing amendments to Bills on Third Reading to be considered Wednesday, April 1.

CONSIDERATION OF BILLS ON THIRD READING

Consideration of **SB 2500** and **SB 2502** was deferred.

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 statewide 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 third time by title.

On motions by Senator Brown-Waite, **CS for SB 250** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Burt, Diaz-Balart, Gutman, Hargrett, Kirkpatrick, Meadows, Scott

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 third time by title.

On motions by Senator Bronson, **SB 230** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Burt, Diaz-Balart, Gutman, Hargrett, Kirkpatrick, Meadows

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 third time by title.

On motions by Senator Lee, **CS for SB 666** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Burt, Diaz-Balart, Gutman, Hargrett, Kirkpatrick, Latvala, Meadows

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 read the third time by title.

On motions by Senator Holzendorf, **HB 3597** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Burt, Diaz-Balart, Gutman, Hargrett, Kirkpatrick, Lee, Myers

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 third time by title.

On motions by Senator Lee, **SB 238** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Gutman, Hargrett

SB 78—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.

—as amended March 19 was read the third time by title.

On motions by Senator Childers, **SB 78** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Burt, Diaz-Balart, Gutman, Hargrett

SPECIAL ORDER CALENDAR

Consideration of **CS for SB 846** was deferred.

On motion by Senator Bronson—

SB 1004—A bill to be entitled An act relating to rulemaking authority with respect to the regulation of the citrus industry; amending s. 601.10, F.S.; requiring the Department of Citrus to provide a list of forms that it uses; amending s. 601.61, F.S., relating to the bond requirements of citrus fruit dealers; allowing the Florida Citrus Commission to prescribe certain terms of producer contracts; providing an effective date.

—was read the second time by title.

Senator Bronson moved the following amendment which was adopted:

Amendment 1—In title, on page 1, line 4, before the first semicolon (;) insert: (RAB)

Pursuant to Rule 4.19, **SB 1004** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Gutman—

CS for SB 1144—A bill to be entitled An act relating to the rulemaking authority of the Department of Management Services and other agencies (RAB); creating s. 110.224, F.S.; requiring a review and performance planning system; requiring the department to adopt rules to implement a review and performance planning system to assess employee performance; amending s. 110.1095, F.S.; directing the department to provide technical assistance; requiring annual review of state training programs; requiring agencies to develop and implement training programs; directing the department to adopt rules for training programs; amending s. 110.207, F.S.; prohibiting positions from being filled before they have been classified; amending s. 110.227, F.S.; directing the department to adopt a grievance procedure for career service employees; requiring a grievance process to be available for career service employees; defining the term “grievance”; authorizing the adoption of rules for the grievance process; amending s. 216.262, F.S.; providing rulemaking authority; detailing use and value of perquisites; amending s. 946.515, F.S.; making a determination not to use corporation products or services; providing an effective date.

—was read the second time by title.

Senator Gutman moved the following amendment which was adopted:

Amendment 1—On page 12, line 9, delete “agency division director.” and insert: *director of purchasing of the Department of Management Services.*

Pursuant to Rule 4.19, **CS for SB 1144** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Rossin—

CS for SB 1152—A bill to be entitled An act relating to the developmentally disabled and mentally ill persons’ umbrella trust fund (RAB); amending s. 402.175, F.S.; revising duties of the Department of Children and Family Services with respect to such fund; providing definitions; requiring annual accounting; providing for rules; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1152** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brown-Waite—

SB 1232—A bill to be entitled An act relating to rulemaking authority of the Agency for Health Care Administration; amending s. 408.08, F.S.; authorizing the agency to adopt rules under which health care facilities may be granted extensions of deadlines for filing certain reports; providing an effective date.

—was read the second time by title.

The Committee on Health Care recommended the following amendment which was moved by Senator Brown-Waite and adopted:

Amendment 1—In title, on page 1, line 3, after “Administration” insert: (RAB)

Pursuant to Rule 4.19, **SB 1232** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

CS for SB 1332—A bill to be entitled An act relating to investment of public funds (RAB); amending s. 215.835, F.S.; prescribing rulemaking authority of the Division of Bond Finance and State Board of Administration; amending ss. 159.825, 218.405, 218.407, 218.409, F.S.; prescribing rulemaking authority of the State Board of Administration; amending s. 240.551, F.S.; prescribing rulemaking authority of the Pre-paid Postsecondary Education Expense Board; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1332** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

SB 1334—A bill to be entitled An act relating to rulemaking authority of the Department of Environmental Protection (RAB); amending s. 403.061, F.S.; authorizing the adoption of rules on quality-assurance requirements for environmental data submitted to the department; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources recommended the following amendment which was moved by Senator Latvala and adopted:

Amendment 1 (with title amendment)—On page 1, line 11 through page 14, line 3, delete those lines and insert:

Section 1. Section 403.0623, Florida Statutes, is created to read:

403.0623 Environmental data; quality assurance.—The department must establish, by rule, appropriate quality assurance requirements for environmental data submitted to the department and the criteria by which environmental data may be rejected by the department. Such rules may be in addition to any laboratory certification provisions under ss. 403.0625 and 403.863.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 4, delete “amending s. 403.061” and insert: creating s. 403.0623

Pursuant to Rule 4.19, **SB 1334** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

SB 1336—A bill to be entitled An act relating to rulemaking authority with respect to asbestos removal (RAB); amending s. 376.60, F.S.; authorizing the Department of Environmental Protection to establish a fee schedule by rule; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1336** was placed on the calendar of Bills on Third Reading.

On motion by Senator Diaz-Balart—

CS for SB 1342—A bill to be entitled An act relating to rulemaking authority of the Division of Workers’ Compensation (RAB); amending ss. 440.05, 440.15, 440.16, 440.185, 440.191, 440.20, 440.40, 440.42, 440.49, F.S.; extending rulemaking authority to the Division of Workers’ Compensation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1342** was placed on the calendar of Bills on Third Reading.

On motion by Senator Diaz-Balart—

CS for SB 1346—A bill to be entitled An act relating to rulemaking authority with respect to occupational safety and health (RAB); amending s. 442.006, F.S.; authorizing rules for the Division of Safety investigations of public-sector employers; amending s. 442.008, F.S.; authorizing rules for the Division of Safety relating to recordkeeping responsibilities for public-sector employers; amending s. 442.011, F.S.; eliminating an annual report; amending s. 442.20, F.S.; authorizing rulemaking for the Division of Safety for the adoption of federal standards; providing that specified references to federal officials in adopted federal standards refer to specified state officials for the purpose of state law; amending s. 627.0915, F.S.; authorizing rulemaking for the Division of Safety for workplace-safety programs for clients of help-supply services companies; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1346** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brown-Waite—

SB 1348—A bill to be entitled An act relating to rulemaking authority of the Agency for Health Care Administration (RAB); amending s. 440.134, F.S.; directing the agency to adopt rules relating to workers’ compensation managed care arrangements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1348** was placed on the calendar of Bills on Third Reading.

On motion by Senator Williams—

SB 1350—A bill to be entitled An act relating to mortgage lenders (RAB); amending s. 494.0065, F.S.; authorizing a one-time transfer of ownership, control, or certain voting power of a licensed mortgage lender by an ultimate equitable owner under certain circumstances; providing an exception for intrafamilial transfers; providing requirements; providing for denial of the transfer under certain circumstances; providing an effective date.

—was read the second time by title.

The Committee on Banking and Insurance recommended the following amendments which were moved by Senator Williams and adopted:

Amendment 1—On page 1, lines 19-21, delete those lines and insert:

(3) The department may prescribe by rule forms and procedures for initial application for licensure, and amendment and withdrawal of application for licensure, or transfer, including any existing branch offices, in accordance with subsections (4) and (5), and for

Amendment 2—On page 3, between lines 15 and 16, insert:

(8) The department shall require each person applying for a transfer of any branch office pursuant to subsection (4) of this section to comply with the requirements of s. 494.0066.

Senator Williams moved the following amendment which was adopted:

Amendment 3—On page 2, delete line 17 and insert: *in the amount of \$500.*

Pursuant to Rule 4.19, **SB 1350** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by 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.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1410** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

SB 1434—A bill to be entitled An act relating to rulemaking authority with respect to environmental permitting (RAB); creating s. 161.0315, F.S.; providing authority to adopt rules relating to coastal construction; amending s. 161.053, F.S.; providing for adoption of rules establishing exemptions for certain activities that have no adverse effect on the coastal system; amending s. 403.813, F.S.; clarifying authority to implement certain exemptions without adoption of rules; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources recommended the following amendment which was moved by Senator Latvala and adopted:

Amendment 1 (with title amendment)—On page 1, line 16 through page 2, line 11, delete those lines and insert:

Section 1. Subsection (11) of section 161.052, Florida Statutes, is created to read:

161.052 Coastal construction and excavation; regulation.—

(11) The department may adopt rules to implement the particular powers and duties set forth in this section.

Section 2. Subsection (12) is amended and subsection (21) is added to section 161.053, Florida Statutes, to read:

161.053 Coastal construction and excavation; regulation on county basis.—

(12)(a) The coastal construction control requirements defined in subsection (1) and the requirements of the erosion projections pursuant to subsection (6) do not apply to any modification, maintenance, or repair to any existing structure within the limits of the existing foundation which does not require, involve, or include any additions to, or repair or modification of, the existing foundation of that structure. Specifically excluded from this exemption are seawalls or other rigid coastal or shore protection structures and any additions or enclosures added, constructed, or installed below the first dwelling floor or lowest deck of the existing structure.

(b) Activities seaward of the coastal construction control line which are determined by the department not to cause a measurable interference with the natural functioning of the coastal system are exempt from the requirements in subsection (5).

(c) The department may establish exemptions from the requirements of this section for minor activities determined by the department not to have adverse impacts on the coastal system. Examples of such activities include, but are not limited to:

- 1. Boat moorings;*
 - 2. Maintenance of existing beach/dune vegetation;*
 - 3. The burial of seaweed, dead fish, whales, or other marine animals on the unvegetated beach;*
 - 4. The removal of piers or other derelict structures from the unvegetated beach or seaward of mean high water;*
 - 5. Temporary emergency vehicular access, provided any impacted area is immediately restored;*
 - 6. The removal of any existing structures or debris from the upland, provided there is no excavation or disturbance to the existing topography or beach/dune vegetation;*
 - 7. Construction of any new roof overhang extending no more than 4 feet beyond the confines of the existing foundation during modification, renovation, or reconstruction of a habitable structure within the confines of the existing foundation of that structure which does not include any additions to or modification of the existing foundation of that structure;*
 - 8. Minor and temporary excavation for the purpose of repairs to existing subgrade residential service utilities (e.g., water and sewer lines, septic tanks and drainfields, electrical and telephone cables, and gas lines), provided that there is minimal disturbance and that grade is restored with fill compatible in both coloration and grain size to the on-site material and any damaged or destroyed vegetation is restored using similar vegetation; and*
 - 9. Any other minor construction with impacts similar to the above activities.*
- (21) The department may adopt rules to implement the particular powers and duties set forth in this section.*

And the title is amended as follows:

On page 1, lines 4-9, delete those lines and insert: amending s. 161.052, F.S.; providing authority to adopt rules relating to coastal construction and excavation; amending s. 161.053, F.S.; authorizing the exemption of certain activities from permit requirements; providing authority to adopt rules relating to coastal construction and regulation on county basis; amending

Pursuant to Rule 4.19, **SB 1434** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Hargrett—

CS for SB 846—A bill to be entitled An act relating to the Department of Transportation (RAB); amending s. 334.044, F.S.; authorizing the department to regulate the transfer of storm water to the right-of-way as a result of changes to adjacent property; amending s. 337.105, F.S.; authorizing the department to suspend a consultant from awards of department contracts for specified good cause; amending s. 337.18, F.S.; providing incentives or damages for contractors for early completion of projects that provide substantial benefits to the public; amending s. 339.0805, F.S.; authorizing the department to suspend or revoke the certification of a disadvantaged business enterprise for specified good cause; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 846** was placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

SB 1436—A bill to be entitled An act relating to rulemaking authority with respect to water treatment facilities (RAB); creating s. 403.095, F.S.; directing the Department of Environmental Protection to classify water and wastewater treatment facilities and staffing requirements by rule; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources recommended the following amendments which were moved by Senator Latvala and adopted:

Amendment 1 (with title amendment)—On page 1, line 12, delete “403.095” and insert: 403.88

And the title is amended as follows:

On page 1, line 4, delete “403.095” and insert: 403.88

Amendment 2—On page 1, line 14, delete “403.095” and insert: 403.88

Pursuant to Rule 4.19, **SB 1436** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

SB 1438—A bill to be entitled An act relating to rulemaking authority with respect to aquatic preserves (RAB); amending s. 258.42, F.S.; providing authority for the Board of Trustees of the Internal Improvement Trust Fund to consider the cumulative impact of activities on aquatic preserves and the impact of activities on manatees and other listed species; providing that the board may adopt and enforce stricter standards, regulations, and orders of local governments when the standards are related to ch. 258, F.S., and are approved by the board; amending s. 258.43, F.S.; providing authority for the board to develop rules regarding the impact of activities on manatees and other listed species and the cumulative impact of activities on aquatic preserves; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources recommended the following amendment which was moved by Senator Latvala and adopted:

Amendment 1—In title, on page 1, lines 2-18, delete those lines and insert: An act relating to rulemaking authority with respect to aquatic preserves (RAB); amending s. 258.42, F.S.; providing authority for the Board of Trustees of the Internal Improvement Trust Fund to consider the cumulative impact of activities on aquatic preserves; providing that the board may adopt and enforce stricter standards, regulations, and orders of local governments when the standards are related to ch. 258, F.S., and are approved by the board; amending s. 258.43, F.S.; providing authority for the board to develop rules regarding the cumulative impact of activities on aquatic preserves; providing an effective date.

Pursuant to Rule 4.19, **SB 1438** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Dyer—

SB 1700—A bill to be entitled An act relating to rulemaking authority of the Department of Community Affairs (RAB); amending s. 553.37, F.S.; supplementing authority to adopt rules for construction of manufactured buildings; amending s. 553.721, F.S.; supplementing authority to adopt rules for the collection of building permit surcharges; amending s. 553.907, F.S.; supplementing authority to adopt rules for local reporting of compliance with thermal efficiency standards; amending s. 553.907, F.S.; supplementing authority to adopt rules for radon-resistant passive building construction; amending s. 553.992, F.S.; supplementing authority to adopt rules for the issuance of nonbinding opinions concerning the use of the building energy rating system; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1700** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dyer—

CS for SB 1702—A bill to be entitled An act relating to the rulemaking authority of the Department of Community Affairs and the Florida Land and Water Adjudicatory Commission (RAB); amending s. 20.255, F.S.; authorizing the Florida Land and Water Adjudicatory Commission to adopt rules; amending s. 163.3177, F.S.; including debt management standards in local capital improvements elements; providing local comprehensive planning periods; amending s. 163.3184, F.S.; specifying agencies for comprehensive plan amendment review; allowing for adoption of separate and distinguished plan amendments; providing for municipal review of plan amendments that affect municipal plans; authorizing a schedule for agency review of comprehensive plans and plan amendments; ensuring conformity with the uniform rules of procedure; amending s. 163.3191, F.S.; providing for copies of submitted evaluation and appraisal reports; providing for local governments to request substantive comments during sufficiency review of evaluation and appraisal reports; providing for requests for delegation of review of evaluation and appraisal reports; amending s. 163.3202, F.S.; clarifying that all municipalities adopt land development regulations to implement municipal plans and plan amendments; providing for notice by the department of the need to adopt required land development regulations; supplementing authority to adopt rules to allow schedules for adoption of required land development regulations; amending s. 190.005, F.S.; authorizing the Florida Land and Water Adjudicatory Commission to adopt rules relating to community development districts; amending s. 373.114, F.S.; authorizing the commission to adopt rules for review of water management district rules or orders; amending s. 380.06, F.S.; allowing the department to issue clearance letters, upon request, as to whether a development may be required to undergo development-of-regional-impact review; preventing reviewing agencies from objecting to the use of assumptions and methodologies agreed upon during preapplication procedures; allowing for another preapplication conference to be held if an application for development approval is not submitted within 1 year; supplementing authority to adopt rules to include criteria for abandonment of developments of regional impact; amending s. 380.061, F.S.; supplementing authority to adopt rules for Florida Quality Development annual reports and criteria for determining a substantial change to an approved Florida Quality Development; amending s. 380.07, F.S.; supplementing authority to adopt rules regarding development orders in designated areas of critical state concern; amending s. 380.22, F.S.; supplementing authority to adopt rules to include procedures and criteria for evaluation of subgrant applications under the federal Coastal Zone Management Act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1702** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rossin—

CS for SB 1706—A bill to be entitled An act relating to the care of elderly persons (RAB); amending s. 400.404, F.S., relating to facilities to be licensed; amending s. 400.424, F.S.; providing requirements for the contract executed between the licensee and the resident of an assisted living facility; authorizing the Department of Elderly Affairs to adopt rules; amending s. 400.427, F.S.; revising requirements for a facility with respect to obtaining surety bonds; authorizing the Department of Elderly Affairs to adopt rules; creating s. 400.4275, F.S., relating to business records; amending s. 400.441, F.S., relating to rules; amending s. 400.442, F.S., relating to pharmacy and dietary services; amending s. 400.444, F.S., relating to construction requirements; amending s. 400.619, F.S., relating to licensure; amending s. 400.6196, F.S., relating to violations and penalties; amending s. 400.621, F.S., relating to rules for adult family care homes; amending s. 400.6211, F.S., relating to training; amending s. 409.212, F.S., relating to optional supplementation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1706** was placed on the calendar of Bills on Third Reading.

On motion by 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.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1714** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rossin—

SB 1720—A bill to be entitled An act relating to rulemaking authority for the Department of Children and Family Services (RAB); amending s. 393.066, F.S.; providing for compliance with federal laws or regulations in rulemaking; amending s. 393.17, F.S.; providing for minimum standards in rules; amending s. 394.4781, F.S.; providing rulemaking authority; amending s. 394.78, F.S.; providing for the inclusion of financial requirements in rules; amending s. 394.879, F.S.; providing for inclusion of construction and design requirements in rules; amending s. 397.427, F.S.; providing for inclusion of federal requirements in rules; amending s. 409.212, F.S.; providing rulemaking authority; amending s. 409.285, F.S.; providing rulemaking authority; providing an effective date.

—was read the second time by title.

The Committee on Children, Families and Seniors recommended the following amendment which was moved by Senator Rossin and adopted:

Amendment 1 (with title amendment)—On page 4, between lines 19 and 20, insert:

Section 6. Subsection (12) of section 397.321, Florida Statutes, is amended to read:

397.321 Duties of the department.—The department shall:

(12) ~~Develop standards for cooperate in the development of~~ employee assistance programs for employees of state government, local governments, and private business.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 13, after the semicolon (;) insert: amending s. 397.321, F.S.; authorizing the Department of Children and Family Services to develop standards for employee assistance programs;

Pursuant to Rule 4.19, **SB 1720** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Rossin—

SB 1762—A bill to be entitled An act relating to eligibility for the WAGES Program (RAB); amending s. 414.095, F.S.; specifying beginning dates for benefits under the program and Medicaid coverage for a program participant; specifying that the payee of temporary cash assistance may be the caretaker with whom a minor child resides; providing an effective date.

—was read the second time by title.

The Committee on Children, Families and Seniors recommended the following amendment which was moved by Senator Rossin and adopted:

Amendment 1—On page 2, line 9, after “assistance” insert: *, and such coverage shall include any eligibility required by federal law which is prior to the month of application*

Pursuant to Rule 4.19, **SB 1762** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Brown-Waite—

SB 142—A bill to be entitled An act relating to veterans’ preference in employment; transferring and renumbering s. 295.15, F.S., relating to legislative intent; amending s. 295.07, F.S.; clarifying provisions; providing for rules; amending s. 295.08, F.S.; revising provisions with respect to positions for which a numerically based selection process is used; removing a monetary limitation with respect to certain classes of positions; amending s. 295.085, F.S.; revising provisions with respect to positions for which a numerically based selection process is not used; providing for preference for certain veterans with service-connected disabilities; deleting provisions for rules; amending s. 295.101, F.S.; revising provisions with respect to the expiration of employment preference; amending s. 295.11, F.S.; revising provisions with respect to investigative findings; deleting reference to the Department of Management Services and providing reference to the Department of Veterans Affairs; amending s. 295.14, F.S.; revising provisions with respect to penalties; repealing s. 295.151, F.S., relating to the application of ch. 78-372, Laws of Florida, with respect to point preference to certain persons in applying for employment; creating s. 295.155, F.S.; providing that military retirement on the basis of longevity does not disqualify a person from veterans’ employment preference; providing an effective date.

—was read the second time by title.

The Committee on Governmental Reform and Oversight recommended the following amendment which was moved by Senator Brown-Waite and adopted:

Amendment 1—On page 8, line 1, delete “\$7,500” and insert: *\$10,000*

Senator Brown-Waite moved the following amendments which were adopted:

Amendment 2—On page 3, line 29, after “process” insert: *, unless the sponsoring governmental entity is a party to a collective bargaining agreement, in which case the plan must comply within 90 days following ratification of a successor collective bargaining agreement or extension of any existing collective bargaining agreement*

Amendment 3 (with title amendment)—On page 6, line 22 through page 7, line 13, delete those lines and insert:

Section 6. Section 295.11, Florida Statutes, is amended to read:

295.11 Investigation; administrative hearing for not employing preferred applicant.—

(1) The Department of Veterans’ Affairs or its designee shall, upon the written request of any person specified in s. 295.07, investigate any complaint filed with the department by such person when the person has ~~applied to made application with~~ any state agency or any agency of a political subdivision ~~in~~ of the state for a position of employment which was awarded to a nonveteran and the person feels aggrieved under this chapter. *The Department of Veterans’ Affairs shall review each case and may issue an opinion to the Public Employees Relations Commission as to the merit or lack of merit in each case. The* Such investigation must ~~shall~~ be accomplished within existing amounts appropriated to the department.

(3) When a satisfactory resolution to the complaint is not forthcoming, ~~any the department of the state or political subdivision in the state may its designee shall, upon written request of the complainant and with advisory assistance from the Department of Management Services,~~ testify *telephonically or in person* at the discretion of the Public Employees Relations Commission ~~hearing as to the investigative findings.~~ The complainant, however, may be represented at the hearing by counsel of his or her choice at his or her expense.

(4) Jurisdiction to effectuate the purposes of ss. 295.07-295.09 shall vest with the Public Employees Relations Commission for appropriate administrative determination. *If, upon preliminary review of the Public Employees Relations Commission, the commission agrees with the department’s determination that a case lacks merit and finds, in its discretion, that there was a complete absence of justiciable issues of either law or fact raised by the veterans’-preference complaint, the Public Employees Relations Commission shall dismiss the complaint without the necessity of holding a hearing.*

And the title is amended as follows:

On page 1, line 20, after the semicolon (;) insert: providing for the dismissal of a complaint;

Pursuant to Rule 4.19, **SB 142** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Holzendorf—

SB 1316—A bill to be entitled An act relating to eligible surplus lines insurers; amending s. 626.918, F.S.; prohibiting the Department of Insurance from approving certain forms; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1316** was placed on the calendar of Bills on Third Reading.

On motion by Senator Silver—

CS for SB 644—A bill to be entitled An act relating to investment securities and leases under the Uniform Commercial Code; revising chapter 678, F.S.; revising part I, relating to general matters; providing a short title; providing definitions; providing rules for determining whether certain obligations and interests are securities or financial assets; providing for acquisition of security or financial assets or interests; providing for notice of adverse claim; providing for control of certain securities; providing for effect of certain actions; providing for warranties in direct holding; providing for warranties in indirect holding; providing for applicability of law; providing clearing corporation rules; providing for creditor's legal process; providing for inapplication of statute of frauds; providing for evidentiary rules concerning certificated securities; providing for nonliability to adverse claimant under certain circumstances; providing for securities intermediary as purchaser for value; revising part II, relating to issue and issuer; providing a definition of issuer; providing for issuer's responsibilities and defenses; providing for notice; specifying staleness as notice of defect or defense; providing effect of issuer's restriction on transfer; providing for effect of unauthorized signatures; providing for completion or alteration of security certificates; providing rights and duties of issuer with respect to registered owners; providing for effect of signature of certain persons; providing for issuer's liens; specifying conditions of overissue; revising part III, relating to transfer of certificated and uncertificated securities; providing for delivery of certain securities; providing for rights of purchaser; providing for protected purchasers; providing for indorsement; providing for certain instructions; providing for effect of guaranteeing certain actions; providing purchaser's right to certain requisites; revising part IV, relating to registration; providing duties of issuer to register transfers; requiring certain assurance of effectiveness of certain actions; providing for demand that issuer not register transfer; providing for liability for wrongful registration; providing for replacement of certain certificates; providing for obligation to notify issuer of certain certificates; providing for authenticating certain persons; revising part V, relating to security entitlements; providing for securities accounts; providing for acquisition of security entitlement from a securities intermediary; providing for assertion of adverse claim against entitlement holder; providing for property interest of entitlement holder in certain assets; providing duties of securities intermediary; providing for certain rights of purchaser of security entitlement; providing priority among security interests and entitlement holders; amending s. 679.103, F.S.; providing for perfection of security interests relating to investment property; amending s. 679.105, F.S.; conforming the section to changes made by the act; redefining the term "deposit account"; amending s. 679.106, F.S., to conform; creating s. 679.115, F.S.; providing for perfection of security interests in certain investment properties; providing definitions; providing criteria; providing procedures; creating s. 679.116, F.S.; providing for perfection of security interests arising in purchase or delivery of financial interests; amending ss. 679.203, 679.301, 679.302, 679.303, 679.304, 679.305, 679.306, 679.309, 679.312, F.S., to conform; amending ss. 671.105, 671.206, 674.104, 675.114, F.S., to conform; providing for applicability; amending s. 680.1031, F.S.; redefining the terms "consumer lease" and "finance lease"; amending s. 680.1041, F.S.; revising provisions with respect to other statutes to which leases are subject; amending s. 680.303, F.S.; revising provisions with respect to the alienability of a

party's interest under a lease contract or of a lessor's residual interest in goods; amending s. 680.304, F.S.; revising provisions with respect to the subsequent lease of goods by the lessor; amending s. 680.307, F.S.; revising provisions with respect to priority of liens arising by attachment or levy on security interests in and other claims to goods; amending s. 680.309, F.S.; revising provisions with respect to lessor's and lessee's rights when goods become fixtures; creating s. 680.32, F.S.; providing that nothing in chapter 680, F.S., prevents subordination by agreement by any person entitled to priority; amending s. 680.501, F.S.; revising provisions with respect to the procedure governing default; amending s. 680.503, F.S.; revising provisions with respect to modification or impairment of rights and remedies; amending s. 680.507, F.S.; revising provisions with respect to proof of market rent; amending s. 680.508, F.S.; revising provisions with respect to lessee's remedies; amending s. 680.516, F.S.; revising provisions with respect to the effect of acceptance of goods, notice of default, the burden of establishing default after acceptance, and notice of claim or litigation to persons answerable over; amending s. 680.518, F.S.; revising provisions with respect to cover and substitute goods; amending s. 680.519, F.S.; revising provisions with respect to lessee's damages for nondelivery, repudiation, default, or breach of warranty in regard to accepted goods; amending s. 680.523, F.S.; revising provisions with respect to lessor's remedies; amending s. 680.524, F.S.; revising provisions with respect to lessor's right to identify goods to lease contract; amending s. 680.525, F.S.; revising provisions with respect to lessor's right to possession of goods; amending s. 680.527, F.S.; revising provisions with respect to lessor's rights to dispose of goods; amending s. 680.528, F.S.; revising provisions with respect to lessor's damages for nonacceptance or repudiation; amending s. 680.529, F.S.; revising provisions with respect to lessor's action for rent; amending s. 680.532, F.S.; revising provisions with respect to lessor recovery for loss of residual interest; providing for the application of the act; repealing ss. 610.011, 610.021, 610.031, 610.041, 610.051, 610.061, 610.071, 610.081, 610.091, 610.101, 610.111, 671.304(2)(b), F.S., relating to the Uniform Act for Simplification of Fiduciary Security Transfers; repealing ss. 678.101, 678.102, 678.103, 678.104, 678.105, 678.106, 678.107, 678.108, 678.201, 678.202, 678.203, 678.204, 678.205, 678.206, 678.207, 678.208, 678.301, 678.302, 678.303, 678.304, 678.305, 678.306, 678.307, 678.308, 678.309, 678.310, 678.311, 678.312, 678.313, 678.314, 678.315, 678.316, 678.317, 678.318, 678.319, 678.320, 678.321, 678.401, 678.402, 678.403, 678.404, 678.405, 678.406, 678.407, 678.408, F.S., relating to investment securities under the Uniform Commercial Code; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 644** was placed on the calendar of Bills on Third Reading.

On motion by Senator Grant—

CS for SB 1574—A bill to be entitled An act relating to personnel and agencies of the legislative branch; amending s. 11.045, F.S.; defining the term "division," for purposes of lobbyist registration, as the Division of Legislative Information Services; transferring certain functions of the Joint Legislative Management Committee to the division or to the presiding officers; amending s. 11.12, F.S.; providing for the presiding officers to determine subsistence rates; amending s. 11.13, F.S.; transferring certain functions of the Joint Legislative Management Committee relating to compensation of members to the Office of Legislative Services or to the presiding officers; amending s. 11.147, F.S.; abolishing the Joint Legislative Management Committee and replacing it with an Office of Legislative Services; repealing s. 11.39, F.S., relating to the Legislative Information Technology Resource Committee; amending s. 112.0455, F.S.; transferring certain functions of the Joint Legislative Management Committee with respect to rules relating to drug-free workplace requirements to the presiding officers; amending s. 112.3148, F.S.; transferring certain functions of the Joint Legislative Management Committee relating to reports of gifts to the Division of Legislative Information Services; amending s. 121.055, F.S.; transferring duties of the Joint Legislative Management Committee relating to designation of employees to participate in the Senior Management Service Optional Annuity Program to the presiding officers; amending s. 216.136, F.S.; conforming provisions to the amendments made by the act; amending s. 216.251, F.S.; clarifying authority with respect to approval of classification and pay plans for legislative employees; amending s. 985.401, F.S.; transferring duties of the Joint Legislative Management Committee with respect to the Juvenile Justice Advisory Board to the Department of Juvenile Justice;

amending ss. 11.241, 11.242, 11.243, 11.70, 13.01, 13.10, 15.155, 20.315, 27.709, 112.061, 112.321, 119.15, 218.60, 229.593, 282.3091, 282.310, 282.322, 350.031, 402.50, 790.22, F.S.; conforming provisions to the amendments made by the act; providing an effective date.

—was read the second time by title.

Senator Grant moved the following amendment:

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

Section 1. Section 11.045, Florida Statutes, is amended to read:

11.045 Lobbyists; registration and reporting; exemptions; penalties.—

(1) As used in this section, unless the context otherwise requires:

(a) “Committee” means the committee of each house charged by the presiding officer with responsibility for ethical conduct of lobbyists.

(b) “Division” means the *Division of Legislative Information Services* within the *Office of Legislative Services*.

(c)(b) “Expenditure” means a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a lobbyist or principal for the purpose of lobbying.

(d)(e) “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter which may be the subject of action by, either house of the Legislature or any committee thereof.

(e)(d) “Lobbying” means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(f)(e) “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.

(g)(f) “Principal” means the person, firm, corporation, or other entity which has employed or retained a lobbyist.

(2) Each house of the Legislature shall provide by rule, or may provide by a joint rule adopted by both houses, for the registration of lobbyists who lobby the Legislature. The rule may provide for the payment of a registration fee. The rule may provide for exemptions from registration or registration fees. The rule shall provide that:

(a) Registration is required for each principal represented.

(b) Registration shall include a statement signed by the principal or principal’s representative that the registrant is authorized to represent the principal.

(c) A registrant shall promptly send a written statement to the *division Joint Legislative Management Committee* canceling the registration for a principal upon termination of the lobbyist’s representation of that principal. Notwithstanding this requirement, the *division committee* may remove the name of a registrant from the list of registered lobbyists if the principal notifies the office that a person is no longer authorized to represent that principal.

(d) Every registrant shall be required to state the extent of any direct business association or partnership with any current member of the Legislature.

(e) Each lobbyist and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate lobbying expenditures. Any documents and records retained pursuant to this section may be inspected under reasonable circumstances by any authorized representative of the Legislature. The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

(f) All registrations shall be open to the public.

(g) Any person who is exempt from registration under the rule shall not be considered a lobbyist for any purpose.

(3) Each house of the Legislature shall provide by rule the following reporting requirements:

(a) Statements shall be filed by all registered lobbyists two times per year and after each special session of the Legislature, which statements shall disclose all lobbying expenditures by the lobbyist and the principal and the source of funds for such expenditures. All expenditures made by the lobbyist and the principal for the purpose of lobbying must be reported. Reporting of expenditures shall be made on an accrual basis. The report of such expenditures must identify whether the expenditure was made directly by the lobbyist, directly by the principal, initiated or expended by the lobbyist and paid for by the principal, or initiated or expended by the principal and paid for by the lobbyist. The principal is responsible for the accuracy of the expenditures reported as lobbying expenditures made by the principal. The lobbyist is responsible for the accuracy of the expenditures reported as lobbying expenditures made by the lobbyist. Expenditures made must be reported by the category of the expenditure, including, but not limited to, the categories of food and beverages, entertainment, research, communication, media advertising, publications, travel, and lodging. Lobbying expenditures do not include a lobbyist’s or principal’s salary, office expenses, and personal expenses for lodging, meals, and travel.

(b) A principal who is represented by two or more lobbyists shall designate one lobbyist whose expenditure report shall include all lobbying expenditures made directly by the principal and those expenditures of the designated lobbyist on behalf of that principal as required by paragraph (a). All other lobbyists registered to represent that principal shall file a report pursuant to paragraph (a). The report of lobbying expenditures by the principal shall be made pursuant to the requirements of paragraph (a). The principal is responsible for the accuracy of figures reported by the designated lobbyist as lobbying expenditures made directly by the principal. The designated lobbyist is responsible for the accuracy of the figures reported as lobbying expenditures made by that lobbyist.

(c) For each reporting period the *division Joint Legislative Management Committee* shall aggregate the expenditures reported by all of the lobbyists for a principal represented by more than one lobbyist. Further, the *division committee* shall aggregate figures that provide a cumulative total of expenditures reported as spent by and on behalf of each principal for the calendar year.

(d) The reporting statements shall be filed no later than 45 days after the end of the reporting period. The first report shall include the expenditures for the period from January 1 through the date of adjournment of the regular session of the Legislature, including an extension, if any. The second report shall disclose expenditures for the remainder of the calendar year. A supplemental report shall be filed no later than 45 days after each special session of the Legislature which shall disclose expenditures incurred during the period since the filing of the last previous report through adjournment of the special session. The statements shall be rendered in the identical form provided by the respective houses and shall be open to public inspection. Reporting statements may be filed by electronic means, when feasible.

(e) Reports shall be filed not later than 5 p.m. of the report due date. However, any report that is postmarked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner, and a certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established courier company which bears a date on or before the due date, shall be proof of mailing in a timely manner.

(f) Each house of the Legislature shall provide by rule, or both houses may provide by joint rule, a procedure by which a lobbyist who fails to timely file a report shall be notified and assessed fines. The rule shall provide for the following:

1. Upon determining that the report is late, the person designated to review the timeliness of reports shall immediately notify the lobbyist as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day.

2. Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine due based upon the earliest of the following:

- a. When a report is actually received by the lobbyist registration and reporting office.
- b. When the report is postmarked.
- c. When the certificate of mailing is dated.
- d. When the receipt from an established courier company is dated.

3. Such fine shall be paid within 20 days after receipt of the notice of payment due, unless appeal is made to the ~~division~~ ~~Joint Legislative Management Committee of the Legislature.~~ The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

4. A fine shall not be assessed against a lobbyist the first time any reports for which the lobbyist is responsible are not timely filed. However, to receive the one-time fine waiver, all reports for which the lobbyist is responsible must be filed within 20 days after receipt of notice that any reports have not been timely filed. A fine shall be assessed for any subsequent late-filed reports.

5. Any lobbyist may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the ~~director of the division or his or her designee~~ ~~Joint Legislative Management Committee, who~~ ~~which shall recommend to the President of the Senate and the Speaker of the House of Representatives, or their respective designees, that have the authority to waive the fine be waived in whole or in part for good cause shown.~~ *The President of the Senate and the Speaker of the House of Representatives, or their respective designees, may concur in the recommendation and waive the fine in whole or in part.* Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the lobbyist shall, within the 20-day period, notify the person designated to review the timeliness of reports in writing of his or her intention to ~~request a hearing bring the matter before the committee.~~

6. The person designated to review the timeliness of reports shall notify the ~~director of the division~~ ~~Joint Legislative Management Committee~~ of the failure of a lobbyist to file a report after notice or of the failure of a lobbyist to pay the fine imposed.

(4) Each house of the Legislature shall provide by rule a procedure by which a person, when in doubt about the applicability and interpretation of this section in a particular context, may submit in writing the facts for an advisory opinion to the committee of ~~either the respective house and may appear in person before the committee.~~ The rule shall provide a procedure by which:

- (a) The committee shall render advisory opinions to any person who seeks advice as to whether the facts in a particular case would constitute a violation of this section.
- (b) The committee shall make sufficient deletions to prevent disclosing the identity of persons in the decisions or opinions.
- (c) All advisory opinions of the committee shall be numbered, dated, and open to public inspection.

(5) Each house of the Legislature shall keep all advisory opinions of the committees relating to lobbyists and lobbying activities, as well as a current list of registered lobbyists and their respective reports required under this section, all of which shall be open for public inspection.

(6) The committee of ~~either the respective house~~ shall investigate any person engaged in legislative lobbying upon receipt of a sworn complaint alleging a violation of this section, s. 112.3148, or s. 112.3149 by such person. Such proceedings shall be conducted pursuant to the rules of the respective houses. If the committee finds that there has been a violation of this section, s. 112.3148, or s. 112.3149, it shall report its findings to the President of the Senate or the Speaker of the House of Representatives, as appropriate, together with a recommended penalty, to include a fine of not more than \$5,000, reprimand, censure, probation, or prohibition from lobbying for a period of time not to exceed 24 months. Upon the receipt of such report, the President of the Senate or the

Speaker of the House of Representatives shall cause the committee report and recommendations to be brought before the respective house and a final determination shall be made by a majority of said house.

(7) Any person required to be registered or to provide information pursuant to this section or pursuant to rules established in conformity with this section who knowingly fails to disclose any material fact required by this section or by rules established in conformity with this section, or who knowingly provides false information on any report required by this section or by rules established in conformity with this section, commits a noncriminal infraction, punishable by a fine not to exceed \$5,000. Such penalty shall be in addition to any other penalty assessed by a house of the Legislature pursuant to subsection (6).

(8) There is hereby created the Legislative Lobbyist Registration Trust Fund, to be used for the purpose of funding any office established for ~~the purpose of funding~~ the administration of the registration of lobbyist lobbying the Legislature, including the payment of salaries and other expenses. The trust fund is not subject to the service charge to general revenue provisions of chapter 215. Fees collected pursuant to rules established in accordance with subsection (2) shall be deposited into the Legislative Lobbyist Registration Trust Fund.

Section 2. Section 11.12, Florida Statutes, is amended to read:

11.12 Salary, subsistence, and mileage of members and employees; expenses authorized by resolution; appropriation; preaudit by Comptroller.—

(1) The Treasurer is authorized to pay the salary, subsistence, and mileage of the members of the Legislature, as the same shall be authorized from time to time by law, upon receipt of a warrant therefor of the Comptroller for the stated amount. The Treasurer is authorized to pay the compensation of employees of the Legislature, together with reimbursement for their authorized travel as provided in s. 112.061, and such expense of the Legislature as shall be authorized by law, a concurrent resolution, a resolution of either house, or rules adopted by the respective houses, provided the total amount appropriated to the legislative branch shall not be altered, upon receipt of such warrant therefor. The number, duties, and compensation of the employees of the respective houses and of their committees shall be determined as provided by the rules of the respective house or in this chapter. Each legislator may designate no more than two employees to attend sessions of the Legislature, and those employees who change their places of residence in order to attend the session shall be paid subsistence at a rate to be established by the *President of the Senate for Senate employees and the Speaker of the House of Representatives for House employees* ~~Joint Legislative Management Committee.~~ Such employees, in addition to subsistence, shall be paid transportation expenses in accordance with s. 112.061(7) and (8) for actual transportation between their homes and the seat of government in order to attend the legislative session and return home, as well as for two round trips during the course of any regular session of the Legislature.

(2) All vouchers covering legislative expenses shall be preaudited by the Comptroller, and, if found to be correct, state warrants shall be issued therefor.

Section 3. Section 11.13, Florida Statutes, is amended to read:

11.13 Compensation of members.—

(1)(a) The annual salaries of members of the Senate and House of Representatives, payable in 12 equal monthly installments, shall be:

- 1. The President of the Senate and Speaker of the House of Representatives, \$25,000 each.
- 2. All other members of the Senate and House of Representatives, \$18,000 each.

(b) Effective July 1, 1986, and each July 1 thereafter, the annual salaries of members of the Senate and House of Representatives shall be adjusted by the average percentage increase in the salaries of state career service employees for the fiscal year just concluded. The Appropriations Committee of each house shall certify to the *Office of Legislative Services* ~~Joint Legislative Management Committee~~ the average percentage increase in the salaries of state career service employees ~~before~~ ~~prior to~~ July 1 of each year, ~~and~~ ~~The Office of Legislative Services~~ ~~Joint~~

Legislative Management Committee shall, as of July 1, of each year, determine the adjusted annual salaries as provided herein.

(2) During the time the Legislature is in session, each legislator shall be paid subsistence at a rate to be established by the *President of the Senate for members of the Senate and the Speaker of the House of Representatives for members of the House* Joint Legislative Management Committee. Each legislator, in addition to subsistence, shall be paid travel expenses in accordance with s. 112.061(7) and (8) for actual travel between the legislator's home and the seat of government for not more than one round trip per week or fraction of a week during any regular, special, or extraordinary session of the Legislature or for the convening of either the House or Senate for official business.

(3) Members of any standing or select committee or subcommittee thereof shall receive per diem and travel expenses as provided in s. 112.061 from the appropriation for legislative expenses.

(4) Each member of the Legislature shall be entitled to receive a monthly allowance for intradistrict expenses in ~~an a~~ uniform amount set annually by the *President of the Senate for members of the Senate and the Speaker of the House of Representatives for members of the House* Joint Legislative Management Committee not later than November 1 for the next fiscal year. In setting the amount, the costs of maintaining a legislative district office that provides an appropriate level of constituent services shall be considered. The procedure for disbursement of the monthly intradistrict expense allowed shall be set from time to time by the *Office of Legislative Services, with the approval of the President of the Senate and the Speaker of the House of Representatives or their respective designees* Joint Legislative Management Committee. Such expenses shall be a proper expense of the Legislature and shall be disbursed from the appropriation for legislative expense. The expenses provided under this subsection shall not include any travel and per diem reimbursed under subsections (2) and (3) or the rules of either house.

(5)(a) All expenditures of the Senate, House of Representatives, and offices, committees, and divisions of the Legislature shall be made pursuant to and, unless changed as provided below, within the limits of budgetary estimates of expenditure for each fiscal year prepared and submitted prior to June 15 by the administrative head of each such house, office, committee, or division and approved by the ~~Committee on Rules and Calendar of the Senate and the President of the Senate as to Senate budgets, by the Committee on Administration of the House of Representatives and the Speaker of the House of Representatives as to House budgets, and by the President of the Senate and the Speaker of the House of Representatives acting jointly~~ Joint Legislative Management Committee as to joint committees and other units the divisions of the Legislature other than the Legislative Auditing Committee and the Auditor General's office. Amounts in the approved estimates of expenditure may be transferred between budgetary units within the Senate, House of Representatives, and joint activities by the original approving authority. Funds may be transferred between items of appropriation to the Legislature when approved by the President of the Senate and the Speaker of the House of Representatives and the Joint Legislative Management Committee, provided the total amount appropriated to the legislative branch shall not be altered. The *Office of Legislative Services* Joint Legislative Management Committee shall formulate and present to each house and office thereof recommendations concerning the form and preparation of such budgets and procedures for their adoption and transmission.

(b) Thirty days prior to the date established by s. 216.023 for submission of legislative budgets by all state agencies to the Governor, all budgetary units required to submit estimates of expenditures as provided by paragraph (a) shall annually submit tentative estimates of their financial needs for the next fiscal year beginning July 1 to the authorities required by that paragraph so that the financial needs of the Legislature for the ensuing fiscal year may be reported to the Governor by a ~~committee composed of the President of the Senate and the Speaker of the House of Representatives, and the chair or co-chairs of the Joint Legislative Management Committee, pursuant to ss. 11.148 and 11.40~~ and as required by s. 216.081.

(c) The *Office of Legislative Services* Joint Legislative Management Committee shall submit on forms prescribed by the Comptroller requested allotments of appropriations for the fiscal year. It shall be the duty of the Comptroller to release the funds and authorize the expenditures for the legislative branch to be made from the appropriations on

the basis of the requested allotments. However, the aggregate of such allotments shall not exceed the total appropriations available for the fiscal year.

(6) The pay of members of the Senate and House of Representatives shall be only as set by law.

Section 4. Section 11.147, Florida Statutes, is amended to read:

11.147 *Office of Legislative Services* ~~Joint Legislative Management Committee.~~—

(1) There is hereby created the *Office of Legislative Services to provide support services that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively and efficiently provided jointly to both houses* Joint Legislative Management Committee, which shall consist of three members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom shall be a member of the minority party, and three members of the Senate appointed by the President of the Senate, one of whom shall be a member of the minority party.

(2) The *President of the Senate and the Speaker of the House of Representatives may select a coordinator for the Office of Legislative Services, who shall report directly to the President of the Senate and the Speaker of the House of Representatives or their respective designees.*

~~(3)(2)~~ The joint committees and other units of the Legislature committee shall be governed by joint rules of the Senate and House of Representatives which shall remain in effect until repealed or amended by concurrent resolution.

~~(4)(3)~~ The *Office of Legislative Services* joint committee shall deliver such vouchers covering legislative expenses as required to the Comptroller and, if found to be correct, state warrants shall be issued therefor.

Section 5. Section 11.39, Florida Statutes, is repealed.

Section 6. Effective July 1, 1998, the legislative library is hereby transferred to the Department of State by a type two transfer, as defined in section 20.06, Florida Statutes.

Section 7. Paragraph (g) of subsection (13) of section 112.0455, Florida Statutes, is amended to read:

112.0455 Drug-Free Workplace Act.—

(13) RULES.—

(g) The *President of the Senate and the Speaker of the House of Representatives* Joint Legislative Management Committee may adopt rules, policies, or procedures for the employees and members of the legislative branch implementing this section.

This section shall not be construed to eliminate the bargainable rights as provided in the collective bargaining process where applicable.

Section 8. Subsection (5) of section 112.3148, Florida Statutes, is amended to read:

112.3148 Reporting and prohibited receipt of gifts by individuals filing full or limited public disclosure of financial interests and by procurement employees.—

(5)(a) A political committee or a committee of continuous existence, as defined in s. 106.011; a lobbyist who lobbies a reporting individual's or procurement employee's agency; the partner, firm, employer, or principal of a lobbyist; or another on behalf of the lobbyist or partner, firm, principal, or employer of the lobbyist is prohibited from giving, either directly or indirectly, a gift that has a value in excess of \$100 to the reporting individual or procurement employee or any other person on his or her behalf; however, such person may give a gift having a value in excess of \$100 to a reporting individual or procurement employee if the gift is intended to be transferred to a governmental entity or a charitable organization.

(b) However, a person who is regulated by this subsection, who is not regulated by subsection (6), and who makes, or directs another to make, an individual gift having a value in excess of \$25, but not in excess of \$100, other than a gift which the donor knows will be accepted on behalf

of a governmental entity or charitable organization, must file a report on the last day of each calendar quarter, for the previous calendar quarter in which a reportable gift is made. The report shall be filed with the Secretary of State, except with respect to gifts to reporting individuals of the legislative branch, in which case the report shall be filed with the *Division of Legislative Information Services in the Office of Legislative Services Joint Legislative Management Committee*. The report must contain a description of each gift, the monetary value thereof, the name and address of the person making such gift, the name and address of the recipient of the gift, and the date such gift is given. In addition, when a gift is made which requires the filing of a report under this subsection, the donor must notify the intended recipient at the time the gift is made that the donor, or another on his or her behalf, will report the gift under this subsection. Under this paragraph, a gift need not be reported by more than one person or entity.

Section 9. Paragraph (c) of subsection (1) of section 121.055, Florida Statutes, is amended to read:

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

(c)1. Effective January 1, 1990, participation in the Senior Management Service Class shall be compulsory for up to 75 nonelective positions at the level of committee staff director or higher or equivalent managerial or policymaking positions within the House of Representatives, as selected by the Speaker of the House of Representatives, up to 50 nonelective positions at the level of committee staff director or higher or equivalent managerial or policymaking positions within the Senate, as selected by the President of the Senate, all staff directors of joint committees and service offices of the Legislature, the Auditor General and up to 9 managerial or policymaking positions within his or her office as selected by the Auditor General, and the executive director of the Commission on Ethics.

2. Participation in this class shall be compulsory, except as provided in subparagraph 3., for any legislative employee who holds a position designated for coverage in the Senior Management Service Class, and such participation shall continue until the employee terminates employment in a covered position.

3. In lieu of participation in the Senior Management Service Class, at the discretion of the *President of the Senate and the Speaker of the House of Representatives Joint Legislative Management Committee*, such members may participate in the Senior Management Service Optional Annuity Program as established in subsection (6).

Section 10. Section 216.136, Florida Statutes, is amended to read:

216.136 Consensus estimating conferences; duties and principals.—

(1) ECONOMIC ESTIMATING CONFERENCE.—

(a) Duties.—

1. The Economic Estimating Conference shall develop such official information with respect to the national and state economies as the conference determines is needed for the state planning and budgeting system. The basic, long-term forecasts which are a part of its official information shall be trend forecasts. However, the conference may include cycle forecasts as a part of its official information if the subject matter of the forecast warrants a cycle forecast and if such forecast is developed in a special impact session of the conference.

2. Prior to the submission of the Governor's budget recommendations to the Legislature pursuant to s. 216.162, and again prior to each Regular Session of the Legislature, the Economic Estimating Conference shall evaluate and project the financial condition of the employee group health self-insurance plan. This analysis shall also consider any financial impact of the state's use of health maintenance organizations on the funding of the self-insurance plan. The conference shall indicate whether the current plan premium rates are sufficient to fund projected plan claims and other expenses during the fiscal year.

(b) Principals.—The Executive Office of the Governor, the *coordinator director of the Office Division of Economic and Demographic Research of the Joint Legislative Management Committee*, and profes-

sional staff of the Senate and House of Representatives who have forecasting expertise, or their designees, are the principals of the Economic Estimating Conference. The responsibility of presiding over sessions of the conference shall be rotated among the principals.

(2) DEMOGRAPHIC ESTIMATING CONFERENCE.—

(a) Duties.—The Demographic Estimating Conference shall develop such official information with respect to the population of the nation and state by age, race, and sex as the conference determines is needed for the state planning and budgeting system. The conference shall use the official population estimates provided under s. 186.901 in developing its official information.

(b) Principals.—The Executive Office of the Governor, the *coordinator director of the Office Division of Economic and Demographic Research of the Joint Legislative Management Committee*, and professional staff of the Senate and House of Representatives who have forecasting expertise, or their designees, are the principals of the Demographic Estimating Conference. The responsibility of presiding over sessions of the conference shall be rotated among the principals.

(3) REVENUE ESTIMATING CONFERENCE.—

(a) Duties.—The Revenue Estimating Conference shall develop such official information with respect to anticipated state and local government revenues as the conference determines is needed for the state planning and budgeting system. Any principal may request the conference to review and estimate revenues for any trust fund.

(b) Principals.—The Executive Office of the Governor, the *coordinator director of the Office Division of Economic and Demographic Research of the Joint Legislative Management Committee*, and professional staff of the Senate and House of Representatives who have forecasting expertise, or their designees, are the principals of the Revenue Estimating Conference. The responsibility of presiding over sessions of the conference shall be rotated among the principals.

(4) EDUCATION ESTIMATING CONFERENCE.—

(a) Duties.—The Education Estimating Conference shall develop such official information relating to the state public educational system, including forecasts of student enrollments, students qualified for state financial aid programs, fixed capital outlay needs, and Florida Education Finance Program formula needs, as the conference determines is needed for the state planning and budgeting system. The conference's initial projections of enrollments in public schools shall be forwarded by the conference to each school district no later than 2 months prior to the start of the regular session of the Legislature. Each school district may, in writing, request adjustments to the initial projections. Any adjustment request shall be submitted to the conference no later than 1 month prior to the start of the regular session of the Legislature and shall be considered by the principals of the conference. A school district may amend its adjustment request, in writing, during the first 3 weeks of the legislative session, and such amended adjustment request shall be considered by the principals of the conference. For any adjustment so requested, the district shall indicate and explain, using definitions adopted by the conference, the components of anticipated enrollment changes that correspond to continuation of current programs with workload changes; program improvement; program reduction or elimination; initiation of new programs; and any other information that may be needed by the Legislature. For public schools, the conference shall submit its full-time equivalent student consensus estimate to the Legislature no later than 1 month after the start of the regular session of the Legislature. No conference estimate may be changed without the agreement of the full conference.

(b) Principals.—The Associate Deputy Commissioner for Educational Management, the Executive Office of the Governor, the *coordinator director of the Office Division of Economic and Demographic Research of the Joint Legislative Management Committee*, and professional staff of the Senate and House of Representatives who have forecasting expertise, or their designees, are the principals of the Education Estimating Conference. The Associate Deputy Commissioner for Educational Management or his or her designee shall preside over sessions of the conference.

(5) CRIMINAL JUSTICE ESTIMATING CONFERENCE.—

(a) Duties.—The Criminal Justice Estimating Conference shall develop such official information relating to the criminal justice system, including forecasts of prison admissions by offense categories specified in Rule 3.701, Florida Rules of Criminal Procedure, as the conference determines is needed for the state planning and budgeting system.

(b) Principals.—The Executive Office of the Governor, the *coordinator* ~~director~~ of the *Office Division* of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~, and professional staff, who have forecasting expertise, from the Senate, the House of Representatives, and the Supreme Court, or their designees, are the principals of the Criminal Justice Estimating Conference. The principal representing the Executive Office of the Governor shall preside over sessions of the conference.

(6) SOCIAL SERVICES ESTIMATING CONFERENCE.—

(a) Duties.—

1. The Social Services Estimating Conference shall develop such official information relating to the social services system of the state, including forecasts of social services caseloads, as the conference determines is needed for the state planning and budgeting system. Such official information shall include, but not be limited to, subsidized child care caseloads mandated by the Family Support Act of 1988.

2. In addition, the Social Services Estimating Conference shall develop estimates and forecasts of the unduplicated count of children eligible for subsidized child care as defined in s. 402.3015(1). These estimates and forecasts shall not include children enrolled in the prekindergarten early intervention program established in s. 230.2305.

3. The Department of Health and Rehabilitative Services and the Department of Education shall provide information on caseloads and waiting lists for the subsidized child care and prekindergarten early intervention programs requested by the Social Services Estimating Conference or individual conference principals, in a timely manner.

(b) Principals.—The Executive Office of the Governor, the *coordinator* ~~director~~ of the *Office Division* of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~, and professional staff, who have forecasting expertise, from the Department of Health and Rehabilitative Services, the Senate, and the House of Representatives, or their designees, are the principals of the Social Services Estimating Conference. The principal representing the Executive Office of the Governor shall preside over sessions of the conference.

(7) TRANSPORTATION ESTIMATING CONFERENCE.—

(a) Duties.—The Transportation Estimating Conference shall develop such official budget information relating to transportation planning and budgeting as is determined by the conference principals to be needed for the state planning and budgeting system. This information shall include estimates of transportation cost indices and other budget-related estimates. This conference shall not address estimates of transportation revenues.

(b) Principals.—The Executive Office of the Governor, the *coordinator* ~~director~~ of the *Office Division* of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~, and professional staff with budgeting expertise from the Department of Transportation, the Senate, and the House of Representatives are the principals of the Transportation Estimating Conference. *The principal representing the Executive Office of the Governor shall preside over sessions of the conference.*

(8) CHILD WELFARE SYSTEM ESTIMATING CONFERENCE.—

(a) Duties.—The Child Welfare System Estimating Conference shall develop the following information relating to the child welfare system:

1. Estimates and projections of the number of initial and additional reports of child abuse or neglect made to the central abuse registry and tracking system maintained by the Department of Health and Rehabilitative Services as established in s. 415.504(4)(a).

2. Estimates and projections of the number of children who are alleged to be victims of child abuse or neglect and are in need of placement in an emergency shelter.

In addition, the conference shall develop other official information relating to the child welfare system of the state which the conference determines is needed for the state planning and budgeting system. The Department of Health and Rehabilitative Services shall provide information on the child welfare system requested by the Child Welfare System Estimating Conference, or individual conference principals, in a timely manner.

(b) Principals.—The Executive Office of the Governor, the *coordinator* ~~director~~ of the *Office Division* of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~, and professional staff who have forecasting expertise from the Department of Health and Rehabilitative Services, the Senate, and the House of Representatives, or their designees, are the principals of the Child Welfare System Estimating Conference. The principal representing the Executive Office of the Governor shall preside over sessions of the conference.

(9) JUVENILE JUSTICE ESTIMATING CONFERENCE.—

(a) Duties.—The Juvenile Justice Estimating Conference shall develop such official information relating to the juvenile justice system of the state as is determined by the conference principals to be needed for the state planning and budgeting system. This information shall include, but is not limited to: estimates of juvenile delinquency caseloads and workloads; estimates for secure, nonsecure, and home juvenile detention placements; estimates of workloads in the juvenile sections in the offices of the state attorneys and public defenders; estimates of mental health and substance abuse treatment relating to juveniles; and such other information as is determined by the conference principals to be needed for the state planning and budgeting system.

(b) Principals.—The Executive Office of the Governor, the *Office Division* of *Economic Economics* and Demographic Research of the ~~Joint Legislative Management Committee~~, and professional staff who have forecasting expertise from the Department of Juvenile Justice, the Department of Health and Rehabilitative Services Alcohol, Drug Abuse, and Mental Health Program Office, the Department of Law Enforcement, the Senate Appropriations Committee staff, the House of Representatives Appropriations Committee staff, or their designees, are the principals of the Juvenile Justice Estimating Conference. The responsibility of presiding over sessions of the conference shall be rotated among the principals. To facilitate policy and legislative recommendations, the conference may call upon professional staff of the Juvenile Justice Advisory Board and appropriate legislative staff.

(10) OCCUPATIONAL FORECASTING CONFERENCE.—

(a) Duties.—The Occupational Forecasting Conference shall develop such official information on the workforce development system planning process as it relates to the personnel needs of current, new, and emerging industries as the conference determines is needed by the state planning and budgeting system. Such information must include at least: short-term and long-term forecasts of employment demand for high-skills/high-wage jobs by occupation and industry; relative wage forecasts among those occupations; and estimates of the supply of trained and qualified individuals available for employment in those occupations.

(b) Principals.—The Commissioner of Education, the Executive Office of the Governor, the director of the Office of Tourism, Trade, and Economic Development, the Secretary of Labor, and the *coordinator* ~~director~~ of the *Office Division* of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~, or their designees, are the principals of the Occupational Forecasting Conference. The Commissioner of Education, or the commissioner's designee, shall preside over the sessions of the conference.

Section 11. Paragraph (a) of subsection (2) of section 216.251, Florida Statutes, is amended to read:

216.251 Salary appropriations; limitations.—

(2)(a) The salary for each position not specifically indicated in the appropriations acts shall be as provided in one of the following subparagraphs:

1. Within the classification and pay plans provided for in chapter 110.

2. Within the classification and pay plans established by the Board of Trustees for the Florida School for the Deaf and the Blind of the

Department of Education and approved by the State Board of Education for academic and academic administrative personnel.

3. Within the classification and pay plan approved and administered by the Board of Regents for those positions in the State University System.

4. Within the classification and pay plan approved by the *President of the Senate and the Speaker of the House of Representatives, the Joint Legislative Management Committee, or by the Legislative Auditing Committee, as the case may be, for employees of the Legislature.*

5. Within the approved classification and pay plan for the judicial branch.

6. The salary of all positions not specifically included in this subsection shall be set by the commission or by the Chief Justice for the judicial branch.

Section 12. Paragraph (c) of subsection (3) of section 985.401, Florida Statutes, is amended to read:

985.401 Juvenile Justice Advisory Board.—

(3)

(c) The board is assigned, for the purpose of general oversight, to the *Department of Juvenile Justice effective July 1, 1998 Joint Legislative Auditing Committee.* The board shall develop a budget pursuant to procedures established by the *Department of Juvenile Justice Joint Legislative Auditing Committee.*

Section 13. Section 11.241, Florida Statutes, is amended to read:

11.241 Permanent statutory revision plan created.—There is created a permanent statutory revision plan to be implemented and maintained under the supervision of the *Office of Legislative Services joint committee.*

Section 14. Section 11.242, Florida Statutes, is amended to read:

11.242 Powers, duties, and functions as to statutory revision.—The powers, duties, and functions of the *Office of Legislative Services joint committee* in the operation and maintenance of a statutory revision program shall be as follows:

(1) To conduct a systematic and continuing study of the statutes and laws of this state for the purpose of reducing their number and bulk, removing inconsistencies, redundancies, and unnecessary repetitions and otherwise improving their clarity and facilitating their correct and proper interpretation; and for the same purpose, to prepare and submit to the Legislature reviser's bills and bills for the amendment, consolidation, revision, repeal, or other alterations or changes in any general statute or laws or parts thereof of a general nature and application of the preceding session or sessions which may appear to be subject to revision. Any revision, either complete, partial, or topical, prepared for submission to the Legislature shall be accompanied by revision and history notes relating to the same, showing the changes made therein and the reason for such recommended change.

(2) To carry on the arrangements and identification of the general statutes and laws of the state, as adopted in the Florida Statutes, and the contents of the same, by adding thereto, in the future and in proper place, all new matter belonging therein; this new material to be compiled, revised, and republished periodically in continuation of the present systems, matters, tables, and other material as contained in the Florida Statutes.

(3) Reviser's bills shall not deal with nor carry forward into the Florida Statutes any statute of any of the following classes:

(a) Statutes relating to, for, or concerning only one or more counties or parts thereof, except in cases where the subject matter of the statute relates to the creation or jurisdiction of state or county courts.;

(b) Statutes relating to, for, or concerning and operative in only a portion of the state, except in cases where the subject matter of the statute relates to the creation or jurisdiction of state or county courts.;

(c) Statutes relating to, for, or concerning only a certain municipal corporation.;

(d) Statutes relating to, for or concerning only one or more designated individuals or corporations.;

(e) Statutes incorporating a designated individual corporation or making a grant thereto.;

(f) Road designation laws.

(4) The published edition of the Florida Statutes, shall contain the following:

(a) The Florida Statutes, as adopted and enacted, together with the laws of a general nature enacted at any current session of the Legislature and directed to be embodied in said edition.

(b) The Florida Constitution.

(c) Complete indexes of all the material in the statutes.

(d) Such other matters, notes, data, and other material as may be deemed necessary or admissible by the *Division of Statutory Revision of the Office of Legislative Services joint committee* for reference, convenience, or interpretation.

(5) In carrying on the work of statutory revision and in preparing the Florida Statutes for publication:

(a) All amendments made to any section or chapter, or any part thereof, of the Florida Statutes or session laws of this state by any current session of the Legislature, whenever such amendments in express terms refer to sections or chapters of said statutes or session laws, shall be incorporated with the body of the text of the Florida Statutes.

(b) All sections, chapters, or titles of the Florida Statutes or session laws of this state which are expressly repealed by any current session of the Legislature shall be omitted.

(c) All laws of a general and permanent nature which are of general application throughout the state enacted by any current session of the Legislature shall be compiled and included, assigning thereto in all appropriate places such chapter and section identification, by the decimal system of numbering heretofore embodied in the Florida Statutes, as is appropriate and proper, but all chapters and sections so compiled shall be indicated with a history note, clearly showing that said section or chapter was not a part of the revision at the time of its adoption and giving the proper legislative session law chapter and section number. The matter included under the authority of this subsection shall be incorporated as enacted in any current session and shall be prima facie evidence of such law in all courts of the state.

(d) Any two or more sections, chapters, or laws, or parts thereof, may be consolidated.

(e) Any section, chapter, or law, or part thereof, may be transferred from one location to another.

(f) The form or arrangement of any section, chapter, or law, or part thereof, may be altered or changed by transferring, combining, or dividing the same.

(g) Subsections, sections, chapters, and titles may be renumbered and reference thereto may be changed to agree with such renumbering.

(h) Grammatical, typographical and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of the statutes or laws, may be freely made.

(i) All statutes and laws, or parts thereof, which have expired, become obsolete, been held invalid by a court of last resort, have had their effect or have served their purpose, or which have been repealed or superseded, either expressly or by implication, shall be omitted through the process of reviser's bills duly enacted by the Legislature.

(j) All statutes and laws general in form but of such local or limited application as to make their inclusion in the Florida Statutes or any revision or supplement thereof impracticable, undesirable or unnecessary shall be omitted therefrom, without effecting a repeal thereof.

(k) All things relating to form, position, order, or arrangement of the revision, not inconsistent with the Florida Statutes system, which may be found desirable or necessary for the improvement, betterment, or perfection of same, may be done.

(6) To award contracts from time to time for editorial work in the preparation of copy and other necessary material, and for printing as defined in s. 283.60; ~~to pay expenses only of members of revision committees appointed by the joint committee to assist in revision of whole titles or chapters;~~ and to pay for such other things as are authorized to be done and performed as part of a statutory revision program under the laws of this state.

(7) To exchange Florida Statutes, and other available publications, with the officers, boards, and agencies of other states and of the United States, and with other governments.

(8) To exercise all other powers, duties, and functions necessary or convenient for properly carrying out the provisions of this law and all other laws relating to statutory revision.

Section 15. Section 11.243, Florida Statutes, is amended to read:

11.243 Publishing Florida Statutes; price, sale.—

(1) The *Office of Legislative Services* ~~joint committee~~ shall continue the statutory revision system heretofore adopted in this state and shall bring the general acts of the Legislature within the revision system, as promptly after the adjournment of the legislative session as possible.

(2) All copies of the Florida Statutes shall be delivered by the printer to the *Office of Legislative Services* ~~joint committee~~, which shall distribute copies to the public and governmental entities, including the judicial branch, at a price to be fixed by the *Office of Legislative Services* ~~joint committee~~.

(3) All moneys collected ~~by the joint committee~~ from the sale of the Florida Statutes or other publications shall be deposited in the State Treasury and credited to the appropriation for legislative expense.

Section 16. Paragraph (c) of subsection (6) of section 11.70, Florida Statutes, is amended to read:

11.70 Legislative Committee on Intergovernmental Relations.—

(6) STAFF.—

(c) Upon request of the committee, the *Office of Legislative Services* ~~Joint Legislative Management Committee~~ is directed to provide office space and equipment as the committee deems necessary.

Section 17. Subsection (2) of section 13.01, Florida Statutes, is amended to read:

13.01 Commission on Interstate Cooperation.—

(2) The Florida Commissioners for the National Conference of Commissioners on Uniform State Laws appointed pursuant to s. 13.10 shall be ex officio honorary nonvoting members of this commission. The commission shall elect a chair and a vice chair from among its members. The director of the office of planning and budgeting in the Executive Office of the Governor shall serve ex officio as secretary of the Governor's committee, and an employee of the *Office of Legislative Services* ~~Joint Legislative Management Committee~~ designated by the ~~coordinator executive director~~ of the *Office of Legislative Services* ~~Joint Legislative Management Committee~~ shall serve as secretary of the Joint Legislative Committee on Interstate Cooperation.

Section 18. Subsection (4) of section 13.10, Florida Statutes, is amended to read:

13.10 Commissioners to the National Conference of Commissioners on Uniform State Laws.—

(4) The ~~coordinator executive director~~ of the *Office of Legislative Services* ~~Joint Legislative Management Committee~~ shall designate an appropriate legislative employee to serve as an associate member and secretary to the Florida commissioners to the National Conference of Commissioners on Uniform State Laws. He or she shall prepare and sign

all vouchers authorized by law and keep such records as directed by the commissioners.

Section 19. Subsection (1) of section 15.155, Florida Statutes, is amended to read:

15.155 Legislative documents; Department of State to classify, number, and furnish copies of general laws, special acts, resolutions, and memorials.—

(1) Immediately after any act of the Legislature or any resolution or memorial is filed in the office of the Department of State, the department shall:

(a) Select, segregate, and classify all acts of the Legislature, including memorials and resolutions, by dividing them into the following two classifications: Volume I, General Acts, and Volume II, Special Acts;

(b) Include in such General Acts all acts passed as general laws and all memorials and resolutions, including proposed constitutional amendments, and include in such Special Acts only those acts passed as special laws and becoming law as such;

(c) Assign a chapter number to each such act; and

(d) Furnish true and accurate copies of such laws, resolutions, and memorials passed by the Legislature to the *Office of Legislative Services* ~~Joint Legislative Management Committee~~ for publication.

Section 20. Paragraph (b) of subsection (6) of section 20.315, Florida Statutes, is amended to read:

20.315 Department of Corrections.—There is created a Department of Corrections.

(6) FLORIDA CORRECTIONS COMMISSION.—

(b) The primary functions of the commission are to:

1. Recommend major correctional policies for the Governor's approval, and assure that approved policies and any revisions thereto are properly executed.

2. Periodically review the status of the state correctional system and recommend improvements therein to the Governor and the Legislature.

3. Perform an in-depth review of the recommendations of the Sentencing Guidelines Commission on the need for changes in the guidelines and of any alternative proposals submitted by the ~~Office~~ *Division* of Economic and Demographic Research of the ~~Joint Legislative Management Committee~~ to revise statewide sentencing guidelines.

4. Annually perform an in-depth review of community-based intermediate sanctions and recommend to the Governor and the Legislature intergovernmental approaches through the Community Corrections Partnership Act for planning and implementing such sanctions and programs.

5. Perform an in-depth evaluation of the annual budget request of the Department of Corrections, the comprehensive correctional master plan, and the tentative construction program for compliance with all applicable laws and established departmental policies. The commission may not consider individual construction projects, but shall consider methods of accomplishing the department's goals in the most effective, efficient, and businesslike manner.

6. Routinely monitor the financial status of the Department of Corrections to assure that the department is managing revenue and any applicable bond proceeds responsibly and in accordance with law and established policy.

7. Evaluate, at least quarterly, the efficiency, productivity, and management of the Department of Corrections, using performance and production standards developed by the department under subsection (18).

8. Provide public education on corrections and criminal justice issues.

9. Report to the President of the Senate, the Speaker of the House of Representatives, and the Governor by November 1 of each year. The

first annual report of the commission shall be made by November 1, 1995.

Section 21. Effective October 1, 1998, paragraph (b) of subsection (6) of section 20.315, Florida Statutes, as amended by section 9 of chapter 97-194, Laws of Florida, is reenacted to read:

20.315 Department of Corrections.—There is created a Department of Corrections.

(6) FLORIDA CORRECTIONS COMMISSION.—

(b) The primary functions of the commission are to:

1. Recommend major correctional policies for the Governor's approval, and assure that approved policies and any revisions thereto are properly executed.

2. Periodically review the status of the state correctional system and recommend improvements therein to the Governor and the Legislature.

3. Annually perform an in-depth review of community-based intermediate sanctions and recommend to the Governor and the Legislature intergovernmental approaches through the Community Corrections Partnership Act for planning and implementing such sanctions and programs.

4. Perform an in-depth evaluation of the annual budget request of the Department of Corrections, the comprehensive correctional master plan, and the tentative construction program for compliance with all applicable laws and established departmental policies. The commission may not consider individual construction projects, but shall consider methods of accomplishing the department's goals in the most effective, efficient, and businesslike manner.

5. Routinely monitor the financial status of the Department of Corrections to assure that the department is managing revenue and any applicable bond proceeds responsibly and in accordance with law and established policy.

6. Evaluate, at least quarterly, the efficiency, productivity, and management of the Department of Corrections, using performance and production standards developed by the department under subsection (18).

7. Provide public education on corrections and criminal justice issues.

8. Report to the President of the Senate, the Speaker of the House of Representatives, and the Governor by November 1 of each year.

Section 22. Subsection (1) of section 27.709, Florida Statutes, is amended to read:

27.709 Commission on the Administration of Justice in Capital Cases.—

(1)(a) There is created the Commission on the Administration of Justice in Capital Cases, which shall consist of the six following members:

1. Two members appointed by the Governor.

2. Two members appointed by the President of the Senate from the membership of the Senate. One member shall be a member of the majority party, and one member shall be a member of the minority party.

3. Two members appointed by the Speaker of the House of Representatives from the membership of the House of Representatives. One member shall be a member of the majority party, and one member shall be a member of the minority party.

(b) The chair of the commission shall be selected by the members for a term of 1 year.

(c) The commission shall meet quarterly, and other meetings may be called by the chair upon giving at least 7 days' notice to all members and the public.

(d) Members of the commission are entitled to per diem and travel expenses to be paid by the appointing entity.

(e) The initial members of the commission must be appointed on or before October 1, 1997. Members of the commission shall be appointed

to serve terms of 4 years each, except that a member's term shall expire upon leaving office as a member of the Senate or the House of Representatives. Two of the initial members, one from the Senate and one from the House of Representatives, shall be appointed for terms of 2 years each. Two of the initial members, one from the Senate and one from the House of Representatives, shall be appointed for terms of 3 years each.

(f) The *Office of Legislative Services* ~~Joint Legislative Management Committee~~ shall provide staff support for the commission.

Section 23. Subsection (13) of section 112.061, Florida Statutes, is amended to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons.—

(13) DIRECT PAYMENT OF EXPENSES BY AGENCY.—Whenever an agency requires an employee to incur either Class A or Class B travel on emergency notice to the traveler, such traveler may request the agency to pay his or her expenses for meals and lodging directly to the vendor, and the agency may pay the vendor the actual expenses for meals and lodging during the travel period, limited to an amount not to exceed that authorized pursuant to this section. In emergency situations, the agency head may authorize an increase in the amount paid for a specific meal, provided that the total daily cost of meals does not exceed the total amount authorized for meals each day. The agency head or his or her designee may also grant prior approval for a state agency to make direct payments of travel expenses in other situations that result in cost savings to the state, and such cost savings shall be documented in the voucher submitted to the Comptroller for the direct payment of travel expenses. The provisions of this subsection shall not be deemed to apply to any legislator or to any employee of either house of the Legislature or of the ~~Joint Legislative Management Committee~~.

Section 24. Subsection (4) of section 112.321, Florida Statutes, is amended to read:

112.321 Membership, terms; travel expenses; staff.—

(4) In accordance with the uniform personnel, job classification, and pay plan adopted with the approval of the President of the Senate and the Speaker of the House of Representatives and administered by the *Office of Legislative Services* ~~Joint Legislative Management Committee~~ pursuant to s. 11.147(4)(e), the commission shall employ an executive director and shall provide the executive director with necessary office space, assistants, and secretaries. Within the above uniform plan, decisions relating to hiring, promotion, demotion, and termination of commission employees shall be made by the commission or, if so delegated by the commission, by its executive director.

Section 25. Paragraph (d) of subsection (3) of section 119.15, Florida Statutes, is amended to read:

119.15 Legislative review of exemptions from public meeting and public records requirements.—

(3)

(d) In the year before the repeal of an exemption under this section, the Division of Statutory Revision of the *Office of Legislative Services* ~~Joint Legislative Management Committee~~ shall certify to the President of the Senate and the Speaker of the House of Representatives, by June 1, the language and statutory citation of each exemption scheduled for repeal the following year which meets the criteria of an exemption as defined in this section. Any exemption that is not identified and certified to the President of the Senate and the Speaker of the House of Representatives is not subject to legislative review and repeal under this section. If the division fails to certify an exemption that it subsequently determines should have been certified, it shall include the exemption in the following year's certification after that determination.

Section 26. Subsection (3) of section 218.60, Florida Statutes, is amended to read:

218.60 Definitions.—

(3) All estimates of moneys provided pursuant to this part utilized by participating units of local government in the first year of participation shall be equal to 95 percent of those projections made by the revenue

estimating conference and provided to local governments by the *Office Division of Economic and Demographic Research of the Joint Legislative Management Committee*, in consultation with the Department of Revenue.

Section 27. Subsection (5) of section 229.593, Florida Statutes, is amended to read:

229.593 Florida Commission on Education Reform and Accountability.—

(5) Members of the commission shall serve without compensation but are entitled to reimbursement for per diem and travel expenses incurred in the performance of their duties as provided in s. 112.061. Legislators are entitled to receive travel and per diem expenses as provided by the *Office of Legislative Services Joint Legislative Management Committee* for meetings of legislative committees. When appropriate, commission members who are parents are to receive a stipend for child care costs incurred while attending commission meetings.

Section 28. Subsection (7) of section 282.3091, Florida Statutes, is amended to read:

282.3091 State Technology Council; creation.—

(7) The council shall have the following duties and responsibilities:

(a) To develop a statewide vision for information resources management which shall be reflected in the State Annual Report on Information Resources Management.

(b) To recommend statewide policies to the Executive Office of the Governor, ~~and to the President of the Senate, and to the Speaker of the House of Representatives Joint Legislative Information Technology Resource Committee.~~

(c) To recommend innovation in the state's use of technology to the Executive Office of the Governor, ~~and the President of the Senate, and the Speaker of the House of Representatives Joint Legislative Information Technology Resource Committee.~~

(d) To identify, develop, and recommend solutions to address statewide technology issues to the Executive Office of the Governor, ~~and the President of the Senate, and the Speaker of the House of Representatives Joint Legislative Information Technology Resource Committee.~~

(e) To create ad hoc issue-oriented workgroups to make recommendations to the council and to the Executive Office of the Governor. Such workgroups may include private and public sector representatives.

~~(f) To review, evaluate, and comment on proposals by the Joint Legislative Information Technology Resource Committee.~~

~~(f)(g)~~ To consult with the Chief Information Officers Council.

~~(g)(h)~~ To approve the State Annual Report on Information Resources Management.

~~(h)(i)~~ To recommend memoranda on guidelines and best practices to the Executive Office of the Governor.

Section 29. Subsection (3) of section 282.310, Florida Statutes, is amended to read:

282.310 State Annual Report on Information Resources Management.—

(3) The state annual report shall be made available in writing or through electronic means to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, ~~the Joint Legislative Information Technology Resource Committee,~~ and the Chief Justice of the Supreme Court.

Section 30. Section 282.322, Florida Statutes, is amended to read:

282.322 Special monitoring process for designated information resources management projects.—For each information resources management project which is designated for special monitoring in the General Appropriations Act, with a proviso requiring a contract with a project monitor, the Technology Review Workgroup established pursuant to

s. 216.0446, in consultation with each affected agency, shall be responsible for contracting with the project monitor. Upon contract award, funds equal to the contract amount shall be transferred to the Technology Review Workgroup upon request and subsequent approval of a budget amendment pursuant to s. 216.292. With the concurrence of the Legislative Auditing Committee, the office of the Auditor General shall be the project monitor for other projects designated for special monitoring. However, nothing in this section precludes the Auditor General from conducting such monitoring on any project designated for special monitoring. In addition to monitoring and reporting on significant communications between a contracting agency and the appropriate federal authorities, the project monitoring process shall consist of evaluating each major stage of the designated project to determine whether the deliverables have been satisfied and to assess the level of risks associated with proceeding to the next stage of the project. The major stages of each designated project shall be determined based on the agency's information systems development methodology. Within 20 days after an agency has completed a major stage of its designated project, the project monitor shall issue a written report, including the findings and recommendations for correcting deficiencies, to the agency head, for review and comment. Within 20 days after receipt of the project monitor's report, the agency head shall submit a written statement of explanation or rebuttal concerning the findings and recommendations of the project monitor, including any corrective action to be taken by the agency. The project monitor shall include the agency's statement in its final report which shall be forwarded, within 7 days after receipt of the agency's statement, to the agency head, the inspector general's office of the agency, the Executive Office of the Governor, the appropriations committees of the Legislature, the Joint Legislative Auditing Committee, ~~and the Technology Review Workgroup, and the Legislative Information Technology Resource Committee.~~ The Auditor General shall also receive a copy of the project monitor's report for those projects in which the Auditor General is not the project monitor.

Section 31. Subsection (3) of section 350.031, Florida Statutes, is amended to read:

350.031 Florida Public Service Commission Nominating Council.—

(3) A majority of the membership of the council may conduct any business before the council. All meetings and proceedings of the council shall be staffed by the *Office of Legislative Services Joint Legislative Management Committee* and shall be subject to the provisions of ss. 119.07 and 286.011. Members of the council are entitled to receive per diem and travel expenses as provided in s. 112.061, which shall be funded by the Florida Public Service Regulatory Trust Fund. Applicants invited for interviews before the council may, in the discretion of the council, receive per diem and travel expenses as provided in s. 112.06, which shall be funded by the Florida Public Service Regulatory Trust Fund. The council shall establish policies and procedures to govern the process by which applicants are nominated.

Section 32. Subsection (8) of section 790.22, Florida Statutes, is amended to read:

790.22 Use of BB guns, air or gas-operated guns, or electric weapons or devices by minor under 16; limitation; possession of firearms by minor under 18 prohibited; penalties.—

(8) Notwithstanding s. 39.042 or s. 39.044(1), if a minor under 18 years of age is charged with an offense that involves the use or possession of a firearm, as defined in s. 790.001, other than a violation of subsection (3), or is charged for any offense during the commission of which the minor possessed a firearm, the minor shall be detained in secure detention, unless the state attorney authorizes the release of the minor, and shall be given a hearing within 24 hours after being taken into custody. Effective April 15, 1994, at the hearing, the court may order that the minor continue to be held in secure detention in accordance with the applicable time periods specified in s. 39.044(5), if the court finds that the minor meets the criteria specified in s. 39.044(2), or if the court finds by clear and convincing evidence that the minor is a clear and present danger to himself or herself or the community. The Department of Juvenile Justice shall prepare a form for all minors charged under this subsection that states the period of detention and the relevant demographic information, including, but not limited to, the sex, age, and race of the minor; whether or not the minor was represented by private counsel or a public defender; the current offense; and the minor's complete prior record, including any pending cases. The form

shall be provided to the judge to be considered when determining whether the minor should be continued in secure detention under this subsection. An order placing a minor in secure detention because the minor is a clear and present danger to himself or herself or the community must be in writing, must specify the need for detention and the benefits derived by the minor or the community by placing the minor in secure detention, and must include a copy of the form provided by the department. The Department of Juvenile Justice must send the form, including a copy of any order, without client-identifying information, to the ~~Office Division of Economic and Demographic Research of the Joint Legislative Management Committee.~~

Section 33. *The Office of Legislative Services shall assume all rights, duties, and obligations of the Joint Legislative Management Committee under contracts in effect on the effective date of this act to which the committee is a party.*

Section 34. *There is hereby transferred to the Office of Legislative Services the unexpended balances of Specific Appropriations 1854 through 1857 of section 6, chapter 97-152, Laws of Florida, from the Joint Legislative Management Committee for Fiscal Year 1997-1998 upon the date this bill becomes law.*

Section 35. 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 personnel and agencies of the legislative branch; amending s. 11.045, F.S.; defining the term "division," for purposes of lobbyist registration, as the Division of Legislative Information Services; transferring certain functions of the Joint Legislative Management Committee to the division or to the presiding officers; authorizing the presiding officers to waive fines imposed against lobbyists; amending s. 11.12, F.S.; providing for the presiding officers to determine subsistence rates; amending s. 11.13, F.S.; transferring certain functions of the Joint Legislative Management Committee relating to compensation of members to the Office of Legislative Services or to the presiding officers; amending s. 11.147, F.S.; abolishing the Joint Legislative Management Committee and replacing it with an Office of Legislative Services; repealing s. 11.39, F.S., relating to the Legislative Information Technology Resource Committee; amending s. 112.0455, F.S.; transferring certain functions of the Joint Legislative Management Committee with respect to rules relating to drug-free workplace requirements to the presiding officers; amending s. 112.3148, F.S.; transferring certain functions of the Joint Legislative Management Committee relating to reports of gifts to the Division of Legislative Information Services; amending s. 121.055, F.S.; transferring duties of the Joint Legislative Management Committee relating to designation of employees to participate in the Senior Management Service Optional Annuity Program to the presiding officers; amending s. 216.136, F.S.; conforming provisions to the amendments made by the act; amending s. 216.251, F.S.; clarifying authority with respect to approval of classification and pay plans for legislative employees; amending s. 985.401, F.S.; transferring duties of the Joint Legislative Auditing Committee with respect to the Juvenile Justice Advisory Board to the Department of Juvenile Justice; amending ss. 11.241, 11.242, 11.243, 11.70, 13.01, 13.10, 15.155, 20.315, 27.709, 112.061, 112.321, 119.15, 218.60, 229.593, 282.3091, 282.310, 282.322, 350.031, 402.50, 790.22, F.S.; conforming provisions to the amendments made by the act; providing for the Office of Legislative Services to assume rights, duties, and obligations of the Joint Legislative Management Committee with respect to existing contracts; transferring unexpended balances of appropriated funds; providing an effective date.

Senator Bankhead offered the following amendment to **Amendment 1** which was moved by Senator Grant and adopted:

Amendment 1A (with title amendment)—On page 27, lines 14-23, delete those lines and insert:

Section 12. Section 985.401, Florida Statutes, is amended to read:

985.401 Juvenile Justice *Accountability* ~~Advisory~~ Board.—

(1) The Juvenile Justice *Accountability* ~~Advisory~~ Board shall be composed of nine members. Members of the board shall have direct experience and a strong interest in juvenile justice issues. The authority to appoint the board is allocated as follows:

- (a) Three members appointed by the Governor.
- (b) Three members appointed by the President of the Senate.
- (c) Three members appointed by the Speaker of the House of Representatives.

(2)(a) A full term shall be 3 years, and the term for each seat on the board commences on October 1 and expires on September 30, without regard to the date of appointment. Each appointing authority shall appoint a member to fill one of the three vacancies that occurs with the expiration of terms on September 30 of each year. A member is not eligible for appointment to more than two full, consecutive terms. A vacancy on the board shall be filled within 60 days after the date on which the vacancy occurs. The appointing authority that made the original appointment shall make the appointment to fill a vacancy that occurs for any reason other than the expiration of a term, and the appointment shall be for the remainder of the unexpired term.

(b) The board shall annually select a chairperson from among its members.

(c) The board shall meet at least once each quarter. A member may not authorize a designee to attend a meeting of the board in place of the member. A member who fails to attend two consecutive regularly scheduled meetings of the board, unless the member is excused by the chairperson, shall be deemed to have abandoned the position, and the position shall be declared vacant by the board.

(3)(a) The board members shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061.

(b) The board shall appoint an executive director and other personnel who are exempt from part II of chapter 110, relating to the Career Service System.

(c) The board is assigned, for the purpose of general oversight, to the Joint Legislative Auditing Committee. The board shall develop a budget pursuant to procedures established by the Joint Legislative Auditing Committee.

(d) The composition of the board shall be broadly reflective of the public and shall include minorities and women. The term "minorities" as used in this paragraph means a member of a socially or economically disadvantaged group that includes African Americans, Hispanics, and American Indians. Members of the board shall have direct experience and a strong interest in juvenile justice issues.

(4) The board shall:

(a) Review and recommend programmatic and fiscal policies governing the operation of programs, services, and facilities for which the Department of Juvenile Justice is responsible.

(b) Monitor the development and implementation of long-range juvenile justice policies, including prevention, early intervention, diversion, adjudication, and commitment.

(c) Monitor all activities of the executive and judicial branch and their effectiveness in implementing policies pursuant to this chapter.

(d) Establish and operate a comprehensive system to annually measure and report program outcome and effectiveness for each program operated by the Department of Juvenile Justice or operated by a provider under contract with the department. The board shall use its evaluation research to make advisory recommendations to the Legislature, the Governor, and the department concerning the effectiveness and future funding priorities of juvenile justice programs.

(e) Advise the President of the Senate, the Speaker of the House of Representatives, the Governor, and the department on matters relating to this chapter.

(f) Serve as a clearinghouse to provide information and assistance to the district juvenile justice boards and county juvenile justice councils.

(g) Hold public hearings and inform the public of activities of the board and of the Department of Juvenile Justice, as appropriate.

(h) Monitor the delivery and use of services, programs, or facilities operated, funded, regulated, or licensed by the Department of Juvenile Justice for juvenile offenders or alleged juvenile offenders, and for prevention, diversion, or early intervention of delinquency, and to develop programs to educate the citizenry about such services, programs, and facilities and about the need and procedure for siting new facilities.

(i) Contract for consultants as necessary and appropriate. The board may apply for and receive grants for the purposes of conducting research and evaluation activities.

(j) Conduct such other activities as the board may determine are necessary and appropriate to monitor the effectiveness of the delivery of juvenile justice programs and services under this chapter.

(k) The board shall submit an annual report to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the secretary of the department not later than February 15 of each calendar year, summarizing the activities and reports of the board for the preceding year, and any recommendations of the board for the following year.

(5) Each state agency shall provide assistance when requested by the board. The board shall have access to all records, files, and reports that are material to its duties and that are in the custody of a school board, a law enforcement agency, a state attorney, a public defender, the court, the Department of Children and Family Services, and the department.

And the title is amended as follows:

On page 48, lines 8-11, delete those lines and insert: 985.401, F.S.; renaming the Juvenile Justice Advisory Board; amending ss.

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 1574** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Grant, the rules were waived by unanimous consent and the Senate reverted to introduction for the purpose of introducing the following concurrent resolution notwithstanding the fact that the final day has passed for introduction of bills:

INTRODUCTION OF BILL

By Senator Grant—

SCR 2536—A concurrent resolution amending Joint Rules 1, 3, and 4 of the Joint Rules of the Legislature.

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That Joint Rules 1, 3, and 4 of the Joint Rules of the Legislature are amended to read:

JOINT RULES JOINT RULE ONE

LOBBYIST REGISTRATION AND REPORTING

1.1—Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the *Lobbyist Registration Office in the Division of Legislative Information Services of the Office of Legislative Services, referred to in Joint Rule One as the Lobbyist Registration Office* ~~Joint Legislative Management Committee~~. Registration is required for each principal represented.

(2) As used in this rule, unless the context otherwise requires:

(a) “Designated lobbyist” means the lobbyist who is appointed, by a principal represented by two or more lobbyists, to file expenditure reports that include lobbying expenditures made directly by the principal.

(b) “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter which may be the subject of action by, either house of the Legislature or any committee thereof.

(c) “Lobby” or “lobbying” means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(d) “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a “lobbyist” unless the employee is principally employed for governmental affairs. “Principally employed for governmental affairs” means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer’s various relationships with government or representing the employer in its contacts with government. Any person employed by any executive, judicial, or quasi-judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(e) “Payment” or “salary” means wages or any other consideration provided in exchange for services, but does not include reimbursement for expenses.

(f) “Principal” means the person, firm, corporation, or other entity which has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(3) For purposes of this rule, the terms “lobby” and “lobbying” do not include any of the following:

(a) Response to an inquiry for information by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services which arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term “lobbyist” does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge’s official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer’s official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive, judicial, or quasi-judicial department of the state or community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours, and who does not otherwise meet the definition of lobbyist.

(5) When a person, whether or not the person is registered as a lobbyist, appears before a committee of the Legislature, that person must submit a Committee Appearance Record on a form to be provided by the respective house.

1.2—Method of Registration

(1) Each person who is required to register under Joint Senate and House Rule 1.1 must register on forms furnished by the *Lobbyist Registration Office Joint Legislative Management Committee*, on which that person must state, under oath, that person's name, business address, and phone number, the name and business address of each principal that person represents, the areas of that person's legislative interest, and the extent of any direct business association or partnership that person has with any member of the Legislature. The *Lobbyist Registration Office Joint Legislative Management Committee* or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the *Lobbyist Registration Office Joint Legislative Management Committee* in writing within 15 days on forms furnished by the *Lobbyist Registration Office*.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement signed by the principal or principal's representative that the registrant is authorized to represent the principal. Any person required to register must renew the registration annually, in accordance with Joint Senate and House Rule 1.3.

(3) If a principal has one lobbyist registered, another lobbyist for that principal shall not be allowed to register until one of the lobbyists has been appointed by the principal in writing to the *Lobbyist Registration Office Joint Legislative Management Committee* as the principal's designated lobbyist for expenditure reporting. A principal may appoint its first registered lobbyist as the designated lobbyist upon that lobbyist's registration and may change its designated lobbyist at any time.

(4) A lobbyist shall promptly send a *notice written statement* to the *Lobbyist Registration Office*, on forms furnished by the *Lobbyist Registration Office Joint Legislative Management Committee* cancelling the registration for a principal upon termination of the lobbyist's representation of that principal. Notwithstanding this requirement, the *Lobbyist Registration Office Joint Legislative Management Committee* may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the *Lobbyist Registration Office joint committee* that the lobbyist is no longer authorized to represent that principal.

(5) The *Lobbyist Registration Office Joint Legislative Management Committee* shall publish on the first Monday of each regular session and weekly thereafter through the end of that session a compilation of the names of persons who have registered and the information contained in their registrations.

(6) The *Lobbyist Registration Office Joint Legislative Management Committee* shall retain all original documents submitted under this section.

(7) A person who is required to register under this rule, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of sections 112.3148 and 112.3149, Florida Statutes, relating to reporting and prohibited receipt of gifts and honoraria.

1.3—Registration Costs; Exemptions

(1) To cover the costs incurred in administering this joint policy, each person who registers under Joint Senate and House Rule 1.1 must pay an annual registration fee to the *Lobbyist Registration Office Joint Legislative Management Committee*. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

- (a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.
- (b) Two employees of the Game and Fresh Water Fish Commission.

- (c) Two employees of the Executive Office of the Governor.
- (d) Two employees of the Commission on Ethics.
- (e) Two employees of the Florida Public Service Commission.
- (f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the *President of the Senate and the Speaker of the House of Representatives Joint Legislative Management Committee*. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the *Lobbyist Registration Office Joint Legislative Management Committee*. The fees collected by the *Lobbyist Registration Office Joint Legislative Management Committee* under this joint policy shall be deposited in the State Treasury and credited to the *Legislative Lobbyist Registration Trust Fund* appropriation for legislative expenses specifically to cover the costs incurred in administering this joint policy.

1.4—Periodic Reports Required

(1) REPORTING DATES.—Each person who registers pursuant to Joint Senate and House Rule 1.2 must submit to the *Lobbyist Registration Office Joint Legislative Management Committee*, on forms provided by the *Lobbyist Registration Office joint committee* and for each reporting period required by this rule, a signed and certified statement listing all lobbying expenditures during the reporting period and the sources of funds for those expenditures as required in this rule. Reporting statements shall be filed no later than 45 days after the end of the reporting period. Unless a special session is called, only two reports are required each calendar year. The first report shall disclose expenditures made from January 1 through the date of adjournment of the regular session of the Legislature, including an extension, if any. The second report shall disclose expenditures for the remainder of the calendar year. However, whenever the Legislature convenes in a special session, a separate, supplemental report is required which shall disclose all expenditures incurred during the period since the end of the period covered by the last previous report required to be filed through adjournment of that special session. Following adjournment of a special session for which a separate, supplemental report is required, the next report required to be filed shall disclose all expenditures incurred from the date of adjournment of that special session through the end of the reporting period applicable to that next required report. It is the intent of this rule that each reporting period be separate from every other reporting period and that each expenditure be reported just once. In addition, any reporting statement may be filed by electronic means, when feasible.

(2) TIMELINESS OF REPORTS.—Reports shall be filed no later than 5 p.m. of the report due date. However, any report that is post-marked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner. A certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established courier company which bears a date on or before the due date, shall be proof of mailing in a timely manner.

(3) LOBBYIST'S EXPENDITURE REPORT.—

(a) The Lobbyist's Expenditure Report shall include the name of the lobbyist and the name of the principal on whom the report is prepared. Expenditures for the reporting period shall be reported by the following categories: Food and Beverages; Entertainment; Research; Communications; Media Advertising; Publications; Travel; Lodging; Special Events; and Other. For each expenditure category, the report must identify the amount paid directly by the lobbyist, directly by the principal, initiated or expended by the lobbyist and paid for by the principal, or initiated or expended by the principal and paid for by the lobbyist. Forms shall be provided by the *Lobbyist Registration Office Joint Legislative Management Committee*.

(b) A lobbyist shall file a Lobbyist's Expenditure Report for each principal represented.

(c) When a principal has two or more lobbyists, the principal shall designate one lobbyist who will be responsible for filing a report which

discloses the expenditures made directly by the principal and the expenditures of the designated lobbyist on behalf of the principal. The designated lobbyist is responsible for making a good faith effort to obtain the figures reported as lobbying expenditures made by the principal.

(d) When there are multiple lobbyists, only the designated lobbyist is to report expenditures made directly by the principal. When there are multiple lobbyists, only unduplicated amounts should be reported for expenditures initiated or expended by the lobbyist and paid for by the principal.

(e) The principal is responsible for the accuracy of the figures submitted to the lobbyist for reporting, and the lobbyist is responsible for the accuracy of the figures reported as lobbying expenditures made by that lobbyist.

(4) EXPENDITURES.—

(a) Definitions.—

1. “Expenditure” means a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made or controlled, directly or indirectly, by a lobbyist or principal for the purpose of lobbying. Expenditures shall be accounted for and reported on an accrual accounting basis.

2. “Accrual accounting basis” means the method of accounting that recognizes expenses during the period in which they are incurred regardless of when they are actually paid.

(b) Goodwill expenditures.—An expenditure shall be considered to have been intended to be for the purpose of engendering goodwill if it is a gift, an entertainment, any food or beverage, or any other item or service of similar personal benefit to a member or an employee of the Legislature, unless the member or employee is a relative of the lobbyist. A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

(c) Expenditure categories.—Each reporting individual shall make a good faith effort to report an expenditure and to report it in the appropriate category. If an expenditure fits in two or more categories, it shall be reported in the category to which the expense primarily relates. When an expenditure is not within any defined category, it should be reported in the “Other” category. The categories of expenditures used in this rule are as follows:

1.a. “Communications” means dissemination of information, including, but not limited to, by means of the following:

- I. Audio-visual materials; and
- II. Signs, placards, banners, buttons, promotional materials, and other display materials;

together with any associated production services.

b. This category does not include media advertising, publications, or research.

2. “Entertainment” means amusement or recreation, including, but not limited to, sporting, hunting, fishing, theatrical, artistic, cultural, and musical activities or events.

3. “Food and Beverages” means meals, snacks or other edible substances, or liquids for drinking, including services associated therewith.

4. “Lodging” means sleeping or living accommodations for an individual for one or more nights.

5. “Media Advertising” means newspaper and magazine advertising, radio and television advertising, and outdoor advertising, including production services and copywriting services.

6. “Other” means any item or service that is not included within one of the specified categories, but does not include any item or service that is not required by law to be reported.

7. “Publications” means mass-produced, printed materials, including, but not limited to, magazines, newsletters, brochures, or pamphlets, which expressly encourage persons to communicate with members or employees of the Legislature to influence the official actions of members or employees of the Legislature or which are designed to communicate with members or employees of the Legislature.

8. “Research” means procurement of information relating to a specific issue, regardless of the form or medium in which that information is provided, including, but not limited to, surveys, bill-tracking services, information services, periodicals, and consultants or consultant services to gather data or statistics.

9. “Special Events” means large-scale occurrences, including, but not limited to, receptions, banquets, dinners, or legislative days, to which more than 250 persons are invited and for which the expenditures associated with hosting the occurrence are negotiated with a catering service or facility at a single, set price or which include multiple expenditure categories.

10. “Travel” means transporting an individual from one place to another, regardless of the means used.

(d) Items that are not expenditures.—The term “expenditure” does not include:

1. Contributions or expenditures reported pursuant to chapter 106, Florida Statutes; campaign-related personal services provided without compensation by individuals volunteering their time; or any other contribution or expenditure by a political party.

2. A lobbyist’s or principal’s salary, office expenses, and personal expenses for lodging, meals, and travel. If the principal is a firm, corporation, association, or person, other than a natural person, the office expenses of the entity and the salaries of the officers of the entity, as well as expenses for their lodging, meals, and travel, are not lobbying expenditures. Office expenses include, but are not limited to, payment or obligation for rent or mortgage, utilities, postage, telephone service, employees’ salaries, furniture, copies, computers, software, paper supplies, and custodial or maintenance services. Communications, publications, and research are office expenses if performed or produced by the lobbyist or principal or their employees. If those functions are performed by independent contractors, other than the lobbyist or principal or an affiliate controlled by the principal, they are expenditures reportable under the appropriate expenditure category.

3. If an expense is incurred for a nonlobbying business purpose and the product of that expense is later used for a lobbying purpose, a reportable expenditure is not created.

(e) Valuation of expenditures.—

1. In calculating the amount of aggregate expenditures, a lobbyist or principal may, prior to prorating, round each entry up or down to the nearest \$5. A record is not required to be maintained for any amount that rounds to zero.

2. The amount to be reported for an expenditure shall be determined using the actual cost to the lobbyist or principal or other person making the payment on behalf of the lobbyist or principal, less any compensation received by such lobbyist or principal in payment for the object of the expenditure. If a lobbyist or principal makes a contribution to an expenditure by another lobbyist or principal, the person making the contribution shall report the amount of the contribution as an expenditure, and the person receiving the contribution shall subtract the value of the contribution from the expenditure to be reported by that person.

3. When a lobbyist has multiple principals, expenditures made for the purpose of engendering goodwill that are not attributable to one principal may be prorated among the lobbyist’s principals or may be attributed to one principal.

4. When a lobbyist has multiple principals, expenditures for research or other expenditures that may benefit several principals may be reported to the principal for whom the research was done or other expenditures incurred or prorated to those principals that may benefit from the research or other expenditures.

5. The amount reported as an expenditure shall not include the amount of any additional expenses that are required as a condition precedent to eligibility to make an expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying or if it is paid to a charitable organization. If the amount expended for the condition precedent is primarily intended to be for a lobbying purpose and is not paid to a charitable organization, the total amount of the expenditure shall be reported as a lobbying expenditure. Initiation fees, membership fees, and booster fees are examples, although not exclusive examples, of additional expenses that are regularly required as conditions precedent for eligibility to make other expenditures.

6. A person providing transportation in a private automobile shall be considered to be making an expenditure at the rate of 29 ~~20~~ cents per mile, and the amount of an expenditure made for transportation provided in other private conveyances shall be determined in accordance with the provisions of section 112.3148(7), Florida Statutes.

7. A person providing lodging in a private residence shall be considered to be making an expenditure of \$29 per night.

8. Expenditures made for more than one person may be attributed, on a pro rata basis, among all of the persons for whom the expenditure is made.

(5) AGGREGATION OF EXPENDITURE FIGURES.—For each reporting period, the *Lobbyist Registration Office* ~~Joint Legislative Management Committee~~ shall aggregate the expenditures reported by all of the lobbyists for a principal represented by more than one lobbyist. Following the last report for each calendar year, the *Lobbyist Registration Office* ~~Joint Legislative Management Committee~~ shall provide a total of expenditures reported as spent by and on behalf of each principal for that calendar year.

1.5—Penalties for Late Filing

(1) Upon determining that a report is late, the person designated to review the timeliness of reports shall immediately notify the lobbyist as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day.

(2) Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine due based upon the earliest of the following:

- (a) When a report is actually received by the lobbyist registration and reporting office;
- (b) When the report is postmarked;
- (c) When the certificate of mailing is dated; or
- (d) When the receipt from an established courier company is dated.

(3) Such fine shall be paid within 20 days after receipt of the notice of payment due, unless appeal is made to the *Lobbyist Registration Office* ~~Joint Legislative Management Committee~~. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbyist the first time any reports for which the lobbyist is responsible are not timely filed. However, to receive this one-time fine waiver, all reports for which the lobbyist is responsible must be filed within 20 days after receipt of notice that any reports have not been timely filed. A fine shall be assessed for any subsequent late-filed reports.

(5) The person designated to review the timeliness of reports shall notify the *director of the division* ~~Joint Legislative Management Committee~~ of the failure of a lobbyist to file a report after notice or of the failure of a lobbyist to pay the fine imposed.

1.6—Appeal of Fines; Hearings; Unusual Circumstances

(1) A lobbyist wishing to appeal or dispute a fine imposed in accordance with Joint Senate and House Rule 1.5 shall file with the Lobbyist Registration Office ~~of the Joint Legislative Management Committee~~ a notice of appeal within 20 days after the date of receipt of the notice of payment due, setting out with specificity the unusual circumstances surrounding the failure to file on the designated due date. A request for a hearing on the matter before the *director of the division or his or her designee* ~~Joint Legislative Management Committee~~ must be made within the same 20-day period. The notice of appeal may be accompanied by any documentation or evidence supporting the claim. Failure to timely file a notice of appeal as described in this subsection shall constitute a waiver of the right to appeal or to dispute a fine.

(2) The *President of the Senate and the Speaker of the House of Representatives* ~~Joint Legislative Management Committee~~ may waive the fine in whole or in part for good cause shown based on the unusual circumstances presented by the lobbyist.

(3) The term “unusual circumstances” for the purposes of this rule means uncommon, rare, or sudden events over which the person has no control and which directly result in the failure to meet the filing requirements.

1.7—Questions Regarding Registration

(1) A person may request in writing an informal opinion from the general counsel of the *Office of Legislative Services* ~~Joint Legislative Management Committee~~ as to the application of this rule to a specific situation. The general counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion which is issued shall be provided to the presiding officer of each house. The committees designated under section 11.045(4), Florida Statutes, may revise any informal opinion rendered by the general counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) Persons in doubt about the applicability or interpretation of this rule may submit in writing the facts for an advisory opinion to the committee of *either the respective house* designated pursuant to section 11.045(4), Florida Statutes, and may appear in person before the committee in accordance with section 11.045(4), Florida Statutes.

1.8—Open Records

All of the lobbyist registration and expenditure reports received by the *Lobbyist Registration Office* ~~Joint Legislative Management Committee~~ shall be available for public inspection and for duplication at reasonable cost.

1.9—Records Retention and Inspection

Each lobbyist and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate lobbying expenditures. Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this rule, Senate Rules, or Rules of the House of Representatives, which purposes may include the imposition of sanctions against a person subject to this rule or Senate Rules or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline. Any member who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house. The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

JOINT RULE THREE
LEGISLATIVE SUPPORT SERVICES

3.1—Organizational Structure

The Legislature shall be supported by the Office of Legislative Services, the Office of Legislative Information Technology Services, and the Office of Economic and Demographic Research. These offices shall provide support services that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively provided jointly to both houses and other units of the Legislature. Each office shall be directed by a coordinator selected by the President of the Senate and the Speaker of the House of Representatives.

(1) *The Office of Legislative Services shall provide legislative support services other than those prescribed in subsections (2) and (3). The Division of Statutory Revision and the Division of Legislative Information shall be two of the divisions within the Office of Legislative Services.*

(2) *The Office of Legislative Information Technology Services shall provide support services to assist the Legislature in achieving its objectives through the application of cost-effective information technology.*

(3) *The Office of Economic and Demographic Research shall provide research support services, principally regarding forecasting economic and social trends that affect policymaking, revenues, and appropriations.*

3.2—Policies

The President of the Senate and the Speaker of the House of Representatives shall jointly adopt policies they consider advisable to carry out the functions of the Legislature.

3.1—Administration and Rulemaking

(1) ~~The Joint Legislative Management Committee shall meet at times and places necessary to perform the functions assigned to it.~~

(2) ~~The joint committee shall adopt rules and policies for its own organization and operation and for the organization and operation of its divisions as is deemed advisable to carry out the functions of the joint committee. It shall have general administrative responsibility for the operation of such divisions.~~

(3) ~~Action by a majority vote of the membership of the joint committee shall control and be conclusive on any matter considered by the joint committee.~~

3.2—Executive Director

(1) ~~The joint committee shall appoint its executive director by majority vote.~~

(2) ~~The executive director shall coordinate the activities of all of the divisions of the joint committee and shall have authority to hire and remove personnel of the joint committee and its divisions.~~

3.3—Responsibilities

The joint committee shall be responsible for the following:

(1) ~~Maintaining a library adequate for the needs of the Legislature.~~

(2) ~~Maintaining a permanent and continuous statutory revision plan as provided in ss. 11.242-11.246, Florida Statutes, including periodic publication of the Florida Statutes.~~

(3) ~~Maintaining a bill status system, supplying such information relating to all prefiled bills introduced during legislative sessions as the joint committee may deem necessary.~~

(4) ~~Coordinating all matters relative to legislative printing and carrying out all duties assigned to the joint committee by chapter 283, Florida Statutes, and as otherwise assigned to it.~~

(5) ~~Developing and administering policies for distributing free or reduced cost copies of the Florida Statutes to the state's law schools and to other officers and institutions of state and local government based on specific need and circumstances.~~

(6) ~~Adopting, with the approval of the President of the Senate and the Speaker of the House of Representatives, and administering a uniform personnel, job classification, and pay plan for all legislative employees, and maintaining salary information that provides a basis for reviewing whether the legislative pay plan is competitive.~~

(7) ~~Preparing all payrolls for the Legislature, including the certification of vouchers and transmission of same to the Comptroller, and maintaining the required and necessary payroll records.~~

(8) ~~Developing and administering uniform policies relating to the purchase or acquisition of all supplies, capital outlay items, and other commodities required for the proper functioning of the Legislature.~~

(9) ~~Developing and administering uniform policies relating to keeping an inventory record of capital outlay items owned and purchased by the Legislature.~~

(10) ~~Issuing and approving all purchase orders under the authority of the joint committee.~~

(11) ~~Ascertaining that proper authorization has been obtained, and preparing and certifying all vouchers for expense and capital outlay expenditures. Expenditures chargeable to the Senate shall be approved by the President or the President's duly authorized agent; expenditures chargeable to the joint committee and other units of the Legislature shall be approved by the joint committee or its duly authorized agent.~~

(12) ~~Maintaining records and preparing reports of disbursements from the legislative appropriation by offices, divisions, or departments, including standing committees, or other categories as needed, indicating a breakdown as to type of disbursements.~~

(13) ~~Preparing suggested budgets in conformity with s. 216.023, Florida Statutes, for all expenditures of each house, the joint committee, and other units of the Legislature and submitting same to the respective presiding officers for their final approval before transmission to the Executive Office of the Governor.~~

(14) ~~Contracting with a certified public accountant licensed under the Public Accountancy Law of this state for an annual audit of the financial records and reports of the Legislature and delivering such audit to the President of the Senate, the Speaker of the House of Representatives, and the members of the joint committee.~~

(15) ~~Entering into such other contracts as it shall deem necessary in the performance of its functions.~~

(16) ~~Publishing a handbook of all policies affecting the administration of the joint committee and its divisions and the joint administration of the Legislature.~~

(17) ~~Carrying on such other functions as are determined by the joint committee, with the consent of the presiding officers of both houses of the Legislature, to be joint functions.~~

JOINT RULE FOUR

JOINT LEGISLATIVE AUDITING COMMITTEE

4.1—Responsibilities

(1) On or before December 31 of the year following each decennial census, the Legislative Auditing Committee shall review the performance of the Auditor General and shall submit a report to the Legislature which recommends whether the Auditor General should continue to serve in office.

(2) The expenses of the members of the committee shall be approved by the chair of the committee and paid from the appropriation for legislative expense.

(3) The committee shall review the budget request submitted by the Auditor General and the Office of Program Policy Analysis and Government Accountability and may amend or change it as deemed necessary. The budget request, as amended or changed by the committee, shall become the operating budget of the Auditor General or the Office of Program Policy Analysis and Government Accountability for the ensuing fiscal year; provided that the budget so adopted may subsequently be amended under the same procedure.

(4) The committee shall submit to the *President of the Senate and the Speaker of the House of Representatives* ~~Joint Legislative Management Committee, for approval planning purposes only~~, an estimate of the financial needs of the committee, the Auditor General, and the Office of Program Policy Analysis and Government Accountability.

(5) The committee may at any time, without regard to whether the Legislature is in session, take under investigation any matter within the scope of an audit either completed or then being conducted by the Auditor General or the Office of Program Policy Analysis and Government Accountability, and in connection with such investigation may exercise the powers of subpoena by law vested in a standing committee of the Legislature.

(6) The committee shall review the performance of the director of the Office of Program Policy Analysis and Government Accountability every 4 years and shall submit a report to the Legislature recommending whether the director should be reappointed. A vacancy in the office must be filled in the same manner as the original appointment.

(7) Upon completion of the initial program evaluation and justification review of each state agency listed in s. 216.0172, Florida Statutes, the Office of Program Policy Analysis and Government Accountability shall conduct such reviews only at the direction of the Legislative Auditing Committee.

4.2—Annual audit of financial records

(1) The Legislative Auditing Committee shall contract with a certified public accountant licensed under chapter 473, Florida Statutes, for an annual audit of the financial records of the Legislative Auditing Committee, the Auditor General, and the Office of Program Policy Analysis and Government Accountability.

(2) Copies of the audit shall be delivered to the President of the Senate, the Speaker of the House of Representatives, the Auditor General or the director of the Office of Program Policy Analysis and Government Accountability, as appropriate, and the members of the Legislative Auditing Committee.

—which was referred to the Committee on Rules and Calendar.

On motions by Senator Grant, by unanimous consent, **SCR 2536** was withdrawn from the Committee on Rules and Calendar, taken up out of order and read by title.

Pursuant to Rule 4.13, **SCR 2536** was placed on the calendar of Bills on Second Reading.

On motion by Senator Gutman—

SB 106—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; providing an effective date.

—was read the second time by title.

The Committee on Criminal Justice recommended the following amendment which was moved by Senator Gutman and adopted:

Amendment 1—On page 1, line 16, after the second comma (,) insert: *while the code inspector is engaged in the lawful performance of his or her duties and*

Pursuant to Rule 4.19, **SB 106** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SENATOR BURT PRESIDING

On motion by Senator Gutman—

SB 444—A bill to be entitled An act relating to criminal mischief; amending s. 806.13, F.S., relating to criminal mischief offenses and penalties; providing for reclassification of a misdemeanor violation of the section involving less than a specified amount in property damage when

the offender has one or more prior convictions under the section; providing legislative intent; providing that a county or municipality is not preempted by state law from establishing an ordinance that prohibits the marking of graffiti or other graffiti-related offenses and penalizes such offenses with higher penalties than those provided by state law or with mandatory penalties; providing that the court may not provide a disposition of the case which is less severe than such higher or mandatory penalties in certain juvenile proceedings for violation of the ordinance; amending s. 901.15, F.S., relating to circumstances for arrest without a warrant; providing for such arrest when there is probable cause to believe that the person has committed criminal mischief or a graffiti-related offense; providing an effective date.

—was read the second time by title.

Senator Gutman moved the following amendment which was adopted:

Amendment 1—On page 3, delete line 11 and insert: *under chapter 985 may not provide a disposition of the case*

Pursuant to Rule 4.19, **SB 444** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Silver—

CS for SB 586—A bill to be entitled An act relating to felony offenses; amending s. 782.051, F.S.; revising the elements of the offense of committing a felony that causes bodily injury to provide that if a person who perpetrates or attempts to perpetrate certain enumerated felony offenses and who commits, aids, or abets an intentional act that could, but does not, cause the death of another, the person commits a first-degree felony; providing for ranking such offense under the Criminal Punishment Code based on the felony offense committed; amending s. 921.0022, F.S.; including such offense in the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 586** was placed on the calendar of Bills on Third Reading.

On motion by Senator Campbell—

SB 526—A bill to be entitled An act relating to protective services for victims and witnesses; amending s. 914.25, F.S.; redefining the term “serious felony offense” to include an attempt, solicitation, or conspiracy to commit certain offenses for purposes of provisions that authorize law enforcement agencies to protect victims and witnesses who are at risk of harm; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 526** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brown-Waite—

CS for SB 276—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S., relating to scheduling of controlled substances for the purpose of penalizing unlawful acts involving controlled substances; deleting references to dextropropoxyphene in its non-dosage forms from Schedule II; adding references to propoxyphene in its non-dosage forms to Schedule II; deleting references to gamma-hydroxybutyric from Schedule II; adding references to gamma-hydroxybutyric acid to Schedule II; adding references to ketamine to Schedule III; deleting references to dextropropoxyphene in its dosage forms from Schedule IV; adding references to propoxyphene in its dosage forms to Schedule IV; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 276** was placed on the calendar of Bills on Third Reading.

On motion by Senator Klein—

SB 480—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; correcting a misplaced statutory provision relating to the unlawful sale or possession of a controlled substance within a specified area surrounding a child care facility; providing that certain enhanced penalties do not apply unless the owner or operator of the facility posts a sign identifying the facility as a child care facility; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 480** was placed on the calendar of Bills on Third Reading.

On motion by 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.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 930** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rossin—

CS for SB 156—A bill to be entitled An act relating to program administration by the Department of Children and Family Services; amending s. 20.19, F.S.; providing additional duties for the department's Office of Standards and Evaluation with respect to measuring standards of performance and to reports due to the Legislature; providing duties of program offices; requiring an evaluation and a report from the Assistant Secretary for Administration; revising requirements for the department in procuring contracts for client services and in establishing standards for the delivery of those services; requiring the department to procure certain services competitively; authorizing deferral of the competitive contracting process under certain circumstances; limiting the duration of such deferrals; authorizing the department to adopt rules relating to an alternative competitive procurement process; providing intent that the department enter multi-year contracts; providing for procuring services from multiple sources; requiring that the department adopt rules for imposing penalties against a provider that fails to comply with a requirement for corrective action; requiring notice; requiring that the department develop, and incorporate into the department's Employee Handbook, standards of conduct and a range of disciplinary actions relating to certain staff functions; requiring the department to assure the accountability of each provider of client services; providing duties of the Auditor General and the Office of Program Policy Analysis and Government Accountability; providing for cancellation of contracts under specified circumstances; providing for department liens against certain property constructed or renovated using state funds; authorizing the department to competitively procure any contract under certain circumstances; providing for department contracts to include certain incentives; requiring reports to the Legislature by the department; requiring the department to provide training for staff in negotiating contracts; requiring the department to ensure certain assistance to staff who are negotiating a contract; requiring the department to create contract management units at the district level; providing specifications for these units; specifying the date by which the contract management units must be in operation; requiring the department to evaluate contracting functions in the service districts; authorizing the department to exercise budget and personnel flexibility; authorizing the department to transfer specified funds from certain budget entities in order to create certain staff positions; requiring a report; providing an effective date.

—was read the second time by title.

Senator Rossin moved the following amendments which were adopted:

Amendment 1—On page 12, lines 3-11, delete those lines and insert: *and cost-control requirements. If other governmental entities or units of special purpose government contribute matching funds to the support of a given system of treatment or service, the department shall formally request information from those funding entities in the procurement process and may take the information received from those funding entities into account in the selection process. If a local government contributes match to support the system of treatment or contracted service and if the match constitutes at least 25 percent of the value of the contract, the department shall afford the governmental match contributor an opportunity to name an employee to the selection team required by s. 287.057(15). Any employee so named shall qualify as one of the employees required by s. 287.057(15). The selection team shall include the named employee unless the department sets forth in writing the reason such inclusion would be contrary to the best interests of the state. No governmental entity or unit of special purpose government may name an employee to the selection team if it, or any of its political subdivisions, executive agencies, or special districts, intends to compete for the contract to be awarded. The governmental funding entity or match contributor shall comply with any deadlines and procurement procedures established by the department. The department may also involve nongovernmental funding entities in the procurement process when appropriate.*

Amendment 2 (with title amendment)—On page 17, between lines 24 and 25, insert:

Section 4. Paragraph (c) of subsection (1) of section 20.316, Florida Statutes, is amended, and subsection (7) is added to that section, to read:

20.316 Department of Juvenile Justice.—There is created a Department of Juvenile Justice.

(1) SECRETARY OF JUVENILE JUSTICE.—

(c) The Secretary of Juvenile Justice shall:

1. Ensure that juvenile justice continuum programs and services are implemented according to legislative intent; state and federal laws, rules, and regulations; statewide program standards; and performance objectives by reviewing and monitoring regional and district program operations and providing technical assistance to those programs.

2. Identify the need for and recommend the funding and implementation of an appropriate mix of programs and services within the juvenile justice continuum, including prevention, diversion, nonresidential and residential commitment programs, training schools, and reentry and aftercare programs and services, with an overlay of educational, vocational, alcohol, drug abuse, and mental health services where appropriate.

3. Provide for program research, development, and planning.

4. Develop staffing and workload standards and coordinate staff development and training.

5. Develop budget and resource allocation methodologies and strategies.

6. Establish program policies and rules and ensure that those policies and rules encourage cooperation, collaboration, and information sharing with community partners in the juvenile justice system to the extent authorized by law.

7. Develop funding sources external to state government.

8. Obtain, approve, monitor, and coordinate research and program development grants.

9. Enter into *performance-based contracts that are, to the maximum extent possible, procured competitively.*

(7) **CONTRACTING AND PERFORMANCE STANDARDS.**—

(a) *The Department of Juvenile Justice will establish performance standards for all contracted client services. Notwithstanding s. 287.057(3)(f), the department must competitively procure any contract for client services when any of the following occurs:*

1. The provider fails to meet appropriate performance standards established by the department after the provider has been given a reasonable opportunity to achieve the established standards.

2. A new program or service has been authorized and funded by the Legislature, and the annual value of the contract for such program or service is \$300,000 or more.

3. The department has concluded, after reviewing market prices and available treatment options, that there is evidence that the department can improve the performance outcomes produced by its contract resources. At a minimum, the department shall review market prices and available treatment options biennially. The department shall compile the results of the biennial review and include the results in its annual performance report to the Legislature pursuant to chapter 94-249, Laws of Florida. The department shall provide notice and an opportunity for public comment on its review of market prices and available treatment options.

(b) The competitive requirements of paragraph (a) must be initiated for each contract that meets the criteria of this subsection, unless the secretary makes a written determination that particular facts and circumstances require deferral of the competitive process. Facts and circumstances must be specifically described for each individual contract proposed for deferral and must include one or more of the following:

1. An immediate threat to the health, safety, or welfare of the department's clients.

2. A threat to appropriate use or disposition of facilities that have been financed in whole, or in substantial part, through contracts or agreements with a state agency.

3. A threat to the service infrastructure of a community which could endanger the well-being of the department's clients.

Competitive procurement of client services contracts that meet the criteria in paragraph (a) may not be deferred for longer than 1 year.

(c) The department may adopt rules providing procedures for the competitive procurement of contracted client services which represent an alternative to the request-for-proposal or the invitation-to-bid process. The alternative competitive procedures shall permit the department to solicit professional qualifications from prospective providers and to evaluate such statements of qualification before requesting service proposals. The department may limit the firms invited to submit service proposals to only those firms that have demonstrated the highest level of professional capability to provide the services under consideration, but may not invite fewer than three firms to submit service proposals, unless fewer than three firms submitted satisfactory statements of qualification. The alternative procedures must, at a minimum, allow the department to evaluate competing proposals and select the proposal that provides the greatest benefit to the state while considering the quality of the services, dependability and integrity of the provider, dependability of the provider's services, the experience of the provider in serving target populations or client groups substantially identical to members of the target population for the contract in question, and the ability of the provider to secure local funds to support the delivery of services, including, but not limited to, funds derived from local governments. These alternative procedures need not conform to the requirements of s. 287.057(1) or (2) or s. 287.042.

(d) The department shall review the period for which it executes contracts and, to the greatest extent practicable, shall execute multi-year contracts.

(e) If other governmental entities or units of special purpose government contribute matching funds to the support of a given system of treatment or service, the department shall formally request information from those funding entities in the procurement process and shall take the information received from those funding entities into account in the selection process. The department may also involve nongovernmental funding entities in the procurement process when appropriate.

(f) The department shall adopt, by rule, provisions for including in its contracts incremental penalties to be imposed by its contract managers on a service provider due to the provider's failure to comply with a requirement for corrective action. Any financial penalty that is imposed upon a provider may not be paid from funds being used to provide services to clients, and the provider may not reduce the amount of services

being delivered to clients as a method for offsetting the impact of the penalty. If a financial penalty is imposed upon a provider that is a corporation, the department shall notify, at a minimum, the board of directors of the corporation. The department may notify, at its discretion, any additional parties that the department believes may be helpful in obtaining the corrective action that is being sought. Further, the rules adopted by the department must include provisions that permit the department to deduct the financial penalties from funds that would otherwise be due to the provider, not to exceed 10 percent of the amount that otherwise would be due to the provider for the period of noncompliance. If the department imposes a financial penalty, it shall advise the provider in writing of the cause for the penalty. A failure to include such deductions in a request for payment constitutes a ground for the department to reject that request for payment. The additional remedies described in this paragraph may be cumulative and may be assessed upon each separate failure to comply with instructions from the department to complete corrective action.

(g) If a provider fails to meet the performance standards established in the contract, the department may allow a reasonable period for the provider to correct performance deficiencies. If performance deficiencies are not resolved to the satisfaction of the department within the prescribed time, and if no extenuating circumstances can be documented by the provider to the department's satisfaction, the department must cancel the contract with the provider. The department may not enter into a new contract with that same provider for the services for which the contract was previously canceled for a period of at least 24 months after the date of cancellation.

(h) The department shall develop standards of conduct and a range of disciplinary actions for its employees which are specifically related to carrying out contracting responsibilities, and shall incorporate the standards and disciplinary actions in its Employee Handbook by December 31, 1998.

(i) The department shall include in its standard contract document a requirement that it file a lien against the property where facilities are located which have been constructed or substantially renovated, in whole or in part, through the use of state funds. However, the department is not required to file a lien if the amount of state funds does not exceed \$25,000 or 10 percent of the contract amount, whichever amount is less. The lien must be recorded in the county where the property is located upon the execution of the contract authorizing such construction or renovation. The lien must specify that the department has a financial interest in the property equal to the pro rata portion of the state's original investment of the then-fair-market value for renovations, or the proportionate share of the cost of the construction. The lien must also specify that the department's interest is proportionately reduced and subsequently vacated over a 20-year period of depreciation. The contract must include a provision that, as a condition of receipt of state funding for this purpose, the provider agrees that, if it disposes of the property before the department's interest is vacated, the provider will refund the proportionate share of the state's initial investment, as adjusted by depreciation.

(j) The department may competitively procure any contract when it deems it is in the best interest of the state to do so. The requirements described in paragraph (a) do not, and may not be construed to, limit in any way the department's ability to competitively procure any contract it executes, and the absence of any or all of the criteria described in paragraph (a) may not be used as the basis for an administrative or judicial protest of the department's determination to conduct competition, make an award, or execute any contract.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 3 through page 3, line 11, delete those lines and insert: the Department of Children and Family Services and the Department of Juvenile Justice; amending s. 20.19, F.S.; providing additional duties for the department's Office of Standards and Evaluation with respect to measuring standards of performance and to reports due to the Legislature; providing duties of program offices; requiring an evaluation and a report from the Assistant Secretary for Administration; revising requirements for the department in procuring contracts for client services and in establishing standards for the delivery of those services; requiring the department to procure certain services competitively; authorizing deferral of the competitive contracting process under certain circumstances; limiting the duration of such deferrals; authorizing the department to adopt rules relating to an alternative competitive

procurement process; providing intent that the department enter multi-year contracts; providing for procuring services from multiple sources; requiring that the department adopt rules for imposing penalties against a provider that fails to comply with a requirement for corrective action; requiring notice; requiring that the department develop, and incorporate into the department's Employee Handbook, standards of conduct and a range of disciplinary actions relating to certain staff functions; requiring the department to assure the accountability of each provider of client services; providing duties of the Auditor General and the Office of Program Policy Analysis and Government Accountability; providing for cancellation of contracts under specified circumstances; providing for department liens against certain property constructed or renovated using state funds; authorizing the department to competitively procure any contract under certain circumstances; providing for department contracts to include certain incentives; amending s. 20.316, F.S.; revising requirements for the department in procuring contracts for client services and in establishing standards for the delivery of those services; requiring the department to procure certain services competitively; authorizing deferral of the competitive contracting process under certain circumstances; limiting the duration of such deferrals; authorizing the department to adopt rules relating to an alternative competitive procurement process; providing intent that the department enter multi-year contracts; requiring that the department adopt rules for imposing penalties against a provider that fails to comply with a requirement for corrective action; requiring notice; providing for cancellation of contracts under specified circumstances; requiring that the department develop, and incorporate into the department's Employee Handbook, standards of conduct and a range of disciplinary actions relating to certain staff functions; requiring the department to assure the accountability of each provider of client services; providing for department liens against certain property constructed or renovated using state funds; authorizing the department to competitively procure any contract under certain circumstances; requiring the Department of Children and Family Services to provide training for staff in negotiating contracts; requiring the Department of Children and Family Services to ensure certain assistance to staff who are negotiating a contract; requiring the Department of Children and Family Services to create contract management units at the district level; providing specifications for these units; specifying the date by which the contract management units must be in operation; requiring an evaluation of contracting functions in the service districts; authorizing the exercise of budget and personnel flexibility; authorizing the Department of Children and Family Services to transfer specified funds from certain budget entities in order to create certain staff positions; requiring a report; providing an effective date.

WHEREAS, it is the intent of the Legislature that the Department of Children and Family Services and the Department of Juvenile Justice achieve and maintain accountability from all providers of client services in order to assure a high level of quality and effectiveness of those services, and

WHEREAS, it is further the intent of the Legislature that the Office of Standards and Evaluation of the Department of Children and Family Services, in conjunction with the program offices at the headquarters of that department, play a central role in assuring that this accountability is achieved and maintained, NOW, THEREFORE,

Pursuant to Rule 4.19, **CS for SB 156** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Diaz-Balart—

SB 766—A bill to be entitled An act relating to insurance; creating s. 626.2816, F.S.; requiring continuing education course providers and instructors to be approved by the Department of Insurance; providing for the adoption of rules; amending s. 626.601, F.S.; providing for the department to investigate alleged improper conduct by customer representatives and continuing education course providers and instructors; amending s. 626.681, F.S.; providing for administrative fines in addition to other penalties for certain licensees, appointees, and other persons; increasing an administrative penalty; providing an effective date.

—was read the second time by title.

The Committee on Banking and Insurance recommended the following amendment which was moved by Senator Diaz-Balart:

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

Section 1. Section 626.2816, Florida Statutes, is created to read:

626.2816 Regulation of continuing education for licensees, course providers, instructors, school officials and monitor groups.—

(1) *Continuing education course providers, instructors, school officials and monitor groups must be approved by the department before offering continuing education courses pursuant to s. 626.2815.*

(2) *The department shall adopt rules establishing standards for the approval, regulation, and operation of the continuing education programs and for the discipline of licensees, course providers, instructors, school officials and monitor groups. The standards must be designed to ensure that such course providers, instructors, school officials and monitor groups have the knowledge, competence and integrity to fulfill the educational objectives of ss. 626.2815, 626.869(5), 648.385, and 648.386.*

(3) *The department shall adopt rules establishing a process by which compliance with the continuing education requirements of ss. 626.2815, 626.869(5), 648.385, and 648.386 can be determined, the establishment of a continuing education requirement cycle for licensees, and forms necessary to implement such a process.*

Section 2. Subsection (1) of section 626.601, Florida Statutes, is amended to read:

626.601 Improper conduct; inquiry; fingerprinting.—

(1) The department may, upon its own motion, and shall, upon a written complaint signed by any interested person and filed with the department, inquire into any alleged improper conduct of any licensed agent, solicitor, adjuster, service representative, managing general agent, *continuing education course provider, instructor, school official or monitor group*, or claims investigator under this code.

Section 3. Section 626.681, Florida Statutes, is amended to read:

626.681 Administrative fine in lieu of suspension, revocation, or refusal of license, ~~or~~ appointment, *or disapproval*.—

(1) Except as to insurance agencies, if the department finds that one or more grounds exist for the suspension, revocation, or refusal to renew or continue any license or appointment issued under this chapter, *or disapproval of a continuing education course provider, instructor, school official or monitor groups* the department may, in its discretion, in lieu of such suspension, revocation, ~~or~~ refusal, *or disapproval*, and except on a second offense or when such suspension, revocation, or refusal is mandatory, impose upon the licensee, ~~or~~ appointee, *course provider, instructor, school official or monitor group* an administrative penalty in an amount up to \$500 or, if the department has found willful misconduct or willful violation on the part of the licensee, ~~or~~ appointee, *course provider, instructor, school official or monitor group* up to \$2,500. The administrative penalty may, in the discretion of the department, be augmented by an amount equal to any commissions received by or accruing to the credit of the licensee or appointee in connection with any transaction as to which the grounds for suspension, revocation, or refusal related.

(2) With respect to insurance agencies, if the department finds that one or more grounds exist for the suspension, revocation, or refusal to renew or continue any license issued under this chapter, the department may, in its discretion, in lieu of such suspension, revocation, or refusal, impose upon the licensee an administrative penalty in an amount not to exceed \$10,000 per violation. The administrative penalty may, in the discretion of the department, be augmented by an amount equal to any commissions received by or accruing to the credit of the licensee in connection with any transaction as to which the grounds for suspension, revocation, or refusal related.

(3) The department may allow the licensee, ~~or~~ appointee, *or continuing education course provider, instructor, school official or monitor group* a reasonable period, not to exceed 30 days, within which to pay to the department the amount of the penalty so imposed. If the licensee, ~~or~~ appointee, *course provider, instructor, school official or monitor group* fails to pay the penalty in its entirety to the department within the period so allowed, the license, ~~or~~ appointments, *or approval of that*

person the licensee or appointee shall stand suspended or revoked or renewal or continuation shall be refused, as the case may be, upon expiration of such period.

And the title is amended as follows:

On page 1, lines 4-15, delete those lines and insert: course providers and related personnel to be approved by the Department of Insurance; providing for the adoption of rules related to continuing education; amending s. 626.601, F.S.; providing for the department to investigate alleged improper conduct by continuing education course providers and related personnel; amending s. 626.681, F.S.; authorizing the Department of Insurance to impose an administrative penalty on continuing education course providers and related personnel under certain circumstances; providing an effective date.

MOTION

On motion by Senator Williams, the rules were waived to allow the following amendment to be considered:

Senator Williams moved the following amendment to Amendment 1 which was adopted:

Amendment 1A (with title amendment)—On page 4, between lines 7 and 8, insert:

Section 4. Subsection (7) of section 627.7295, Florida Statutes, is amended to read:

627.7295 Motor vehicle insurance contracts.—

(7) A policy of private passenger motor vehicle insurance or a binder for such a policy may be initially issued in this state only if the insurer or agent has collected from the insured an amount equal to 2 months' premium. An insurer, agent, or premium finance company may not directly or indirectly take any action resulting in the insured having paid from the insured's own funds an amount less than the 2 months' premium required by this subsection. This subsection applies without regard to whether the premium is financed by a premium finance company or is paid pursuant to a periodic payment plan of an insurer or an insurance agent. This subsection does not apply if an insured or member of the insured's family is renewing or replacing a policy or a binder for such policy written by the same insurer or a member of the same insurer group. This subsection does not apply to an insurer that issues private passenger motor vehicle coverage primarily to active duty or former military personnel or their dependents. This subsection does not apply if the policy is paid pursuant to a payroll deduction plan or an automatic electronic funds transfer payment plan. This subsection and subsection (4) do not apply if an insured has had a policy in effect for at least 6 months, the insured's agent is terminated by the insurer that issued the policy, and the insured obtains coverage on the policy's renewal date with a new company through the terminated agent.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 4, line 26, after the semicolon (;) insert: amending s. 627.7295, F.S.; providing that certain restrictions on issuance of private passenger motor vehicle insurance do not apply if the policy is paid by payroll deduction or by automatic electronic funds transfer;

MOTION

On motion by Senator Diaz-Balart, the rules were waived to allow the following amendment to be considered:

Senator Diaz-Balart moved the following amendment to Amendment 1 which was adopted:

Amendment 1B—On page 4, line 8, insert:

Section 4. This act shall take effect July 1, 1998.

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, SB 766 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

On motion by Senator Sullivan, the rules were waived and the Senate reverted to—

CONSIDERATION OF BILLS ON THIRD READING

COMMUNICATION

The Honorable Toni Jennings March 23, 1998 President of the Senate

Dear Madam President:

In compliance with Article III, Section 19(d) of the Constitution and Joint Rule 2, copies of the engrossed Senate Appropriations Bills SB 2500 and SB 2502 have been furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet.

Delivery was completed March 21, 1998 at 2:15 p.m., EDT.

Respectfully submitted, Faye W. Blanton, Secretary

SB 2500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

On motion by Senator Sullivan, the rules were waived and by two-thirds vote HB 4201, HB 4203, HB 4207, HB 4211 and HB 4215 were withdrawn from the Committee on Ways and Means and substituted for SB 2500 as amended.

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

HB 4201—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the second time by title.

Senator Sullivan moved Amendment 1 which was adopted.

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

On motions by Senator Sullivan, by two-thirds vote HB 4201 as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Stalkiewicz

MOTION

On motion by Senator Sullivan, the House was requested to concur in the Senate amendment to **HB 4201**, and in the event the House refuses to concur, moved that a conference committee be appointed.

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

HB 4203—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the second time by title.

Senator Sullivan moved **Amendment 1** which was adopted.

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

On motions by Senator Sullivan, by two-thirds vote **HB 4203** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Ostalkiewicz

MOTION

On motion by Senator Sullivan, the House was requested to concur in the Senate amendment to **HB 4203**, and in the event the House refuses to concur, moved that a conference committee be appointed.

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

HB 4207—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the second time by title.

Senator Sullivan moved **Amendment 1** which was adopted.

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

On motions by Senator Sullivan, by two-thirds vote **HB 4207** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

McKay	Rossin	Sullivan	Turner
Meadows	Scott	Thomas	Williams
Myers	Silver		

Nays—1

Ostalkiewicz

MOTION

On motion by Senator Sullivan, the House was requested to concur in the Senate amendment to **HB 4207**, and in the event the House refuses to concur, moved that a conference committee be appointed.

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

HB 4211—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the second time by title.

Senator Sullivan moved **Amendment 1** which was adopted.

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

On motions by Senator Sullivan, by two-thirds vote **HB 4211** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Ostalkiewicz

MOTION

On motion by Senator Sullivan, the House was requested to concur in the Senate amendment to **HB 4211**, and in the event the House refuses to concur, moved that a conference committee be appointed.

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

HB 4215—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the second time by title.

Senator Sullivan moved **Amendment 1** which was adopted.

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

On motions by Senator Sullivan, by two-thirds vote **HB 4215** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Ostalkiewicz

MOTION

On motion by Senator Sullivan, the House was requested to concur in the Senate amendment to **HB 4215**, and in the event the House refuses to concur, moved that a conference committee be appointed.

SB 2502—A bill to be entitled An act relating to implementing the fiscal year 1998-1999 General Appropriations Act; providing legislative intent; amending s. 216.292, F.S.; authorizing the Department of Children and Family Services and the Agency for Health Care Administration to transfer general revenue funds between them; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 1998-1999 for qualifying hospitals; amending s. 409.9116, F.S.; altering the formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; authorizing the Department of Children and Family Services to use certain funds for fixed capital outlay expenditures to meet federal standards; providing an advance of funds from the Medical Quality Assurance Trust Fund to the Department of Health to allow the department to develop an examination for foreign-licensed physicians; providing for reimbursement of the trust fund through examination fees; amending s. 458.3115, F.S.; deleting certain requirements for the examination; changing the date for availability of the examination for foreign-licensed physicians; authorizing the Department of Law Enforcement to transfer positions, salary rate, and budget between budget entities; requiring notification of such actions; authorizing the Department of Law Enforcement to participate in the Model Career Service Classification and Compensation System, subject to certain conditions; authorizing the Department of Law Enforcement to use certain moneys to provide meritorious-performance bonuses for employees, subject to approval; authorizing the Correctional Privatization Commission and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening and operating a facility of the commission or the department; amending s. 236.081, F.S., relating to the Florida Education Finance Program; authorizing funds to keep the district required local effort at a specified percentage of the district's total calculation; providing for allocation of moneys provided for workforce development; providing for budget amendment when a program is moved; amending s. 212.20, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; providing for certain counties to use moneys received for aquatic weed control for recycling purposes; amending s. 403.7095, F.S.; revising applicability and the expiration date of the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; providing for allocation of funds for innovative programs to address recycling practices and procedures; providing for the sale of certain property; providing for expiration of temporary provisions; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing for construction of implementing act in relation to other legislation; providing severability; providing for retroactive effectiveness; providing an effective date.

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

On motion by Senator Sullivan, the rules were waived and by two-thirds vote **HB 4205**, **HB 4209**, **HB 4213** and **HB 4217** were withdrawn from the Committee on Ways and Means and substituted for **SB 2502** as amended.

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

HB 4205—A bill to be entitled An act relating to implementing the 1998-1999 General Appropriations Act in the area of health and human services; providing legislative intent; amending s. 61.1812, F.S.; crediting to the Child Support Incentive Trust Fund certain distributions of the state share of Temporary Assistance to Needy Families (TANF); amending s. 216.292, F.S.; authorizing the Department of Children and Family Services and the Agency for Health Care Administration to transfer general revenue funds between them; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 1998-1999 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; authorizing the Departments of Children and Family Services, Labor and Employment Security, Revenue, and Health and the Agency for Health Care Administration to transfer positions and funds to comply with the 1998-1999 General Appropriations Act or the WAGES Act; requiring the Agency for Health Care Administration to take necessary actions to ensure that expenditures for Medicaid do not exceed the amount budgeted and to take certain steps if that becomes impossible; providing for continuation and modification of the Legal Immigrant's Temporary Income Bridge Program; providing for future repeal; providing for providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing severability; providing an effective date.

—was read the second time by title.

Senator Sullivan moved **Amendment 1** which was adopted.

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

On motions by Senator Sullivan, by two-thirds vote **HB 4205** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Ostalkiewicz

MOTION

On motion by Senator Sullivan, the House was requested to concur in the Senate amendment to **HB 4205**, and in the event the House refuses to concur, moved that a conference committee be appointed.

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

HB 4209—A bill to be entitled An act relating to implementing the 1998-1999 General Appropriations Act in the area of criminal justice;

providing legislative intent; amending s. 216.181, F.S.; authorizing the Department of Law Enforcement to transfer some positions and a certain percentage of salary rate between budget entities and providing requirements with respect thereto; providing for future repeal; providing for providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing severability; providing an effective date.

—was read the second time by title.

Senator Sullivan moved **Amendment 1** which was adopted.

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

On motions by Senator Sullivan, by two-thirds vote **HB 4209** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Ostalkiewicz

MOTION

On motion by Senator Sullivan, the House was requested to concur in the Senate amendment to **HB 4209**, and in the event the House refuses to concur, moved that a conference committee be appointed.

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

HB 4213—A bill to be entitled An act relating to implementing the 1998-1999 General Appropriations Act in the area of general government; providing legislative intent; amending s. 376.11, F.S.; appropriating certain funds from the Florida Coastal Protection Trust Fund for the purpose of funding beach renourishment and restoration and inlet management; amending s. 212.20, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; providing for transfer of powers and duties relating to regulation of aquatic plant control from the Department of Environmental Protection to the Game and Fresh Water Fish Commission; providing for continuation of certain rules; providing a grandfather provision for persons permitted prior to the transfer; amending s. 206.606, F.S.; providing for transfer of certain funds each fiscal year to the Game and Fresh Water Fish Commission for aquatic plant management; amending ss. 369.20, 369.22, 369.25, 369.251, and 369.252, F.S., relating to regulation of aquatic plant control, to conform; amending s. 581.145, F.S.; revising a reference, to conform; amending s. 370.027, F.S.; providing an exception to rulemaking authority of the Marine Fisheries Commission with respect to specified marine life; providing that marine aquaculture producers shall be regulated by the Department of Agriculture and Consumer Services; amending s. 370.06, F.S.; revising provisions relating to issuance and renewal of saltwater products licenses and special activity licenses; amending s. 370.26, F.S., relating to aquaculture definitions; defining the term “marine aquaculture facility”; deleting requirements of an Aquaculture Section in the Department of Environmental Protection; providing duties of the Department of Agriculture and Consumer Services; authorizing delegation of regulatory authority for certain aquaculture facilities; amending s. 372.0225, F.S.; revising responsibilities of the Division of Fisheries of the Game and Fresh Water Fish Commission relating to freshwater organisms; amending s. 372.65, F.S.; authorizing exemption for freshwater fish dealer’s license; amending s. 372.6672, F.S.; defining the term “wild alligator” for purposes of management and trapping; amending s. 403.0885, F.S.; providing exemptions from the state National Pollutant

Discharge Elimination System program; amending s. 597.002, F.S.; clarifying jurisdiction over aquaculture activities; amending s. 597.003, F.S.; expanding the powers and duties of the Department of Agriculture and Consumer Services; amending s. 597.004, F.S.; revising provisions relating to aquaculture certificate of registration; providing for providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing severability; providing an effective date.

—was read the second time by title.

Senator Sullivan moved **Amendment 1** which was adopted.

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

On motions by Senator Sullivan, by two-thirds vote **HB 4213** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Ostalkiewicz

MOTION

On motion by Senator Sullivan, the House was requested to concur in the Senate amendment to **HB 4213**, and in the event the House refuses to concur, moved that a conference committee be appointed.

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

HB 4217—A bill to be entitled An act relating to implementing the 1998-1999 General Appropriations Act in the area of transportation and economic development; providing legislative intent; amending s. 15.09, F.S.; authorizing the appropriation of funds from the Public Access Data Systems Trust Fund for the operations of the Department of State; amending s. 338.251, F.S.; authorizing a loan from the Toll Facilities Revolving Trust Fund to the St. Lucie County Expressway Authority for purposes relating to revenue-producing road projects; amending s. 253.034, F.S.; authorizing the Department of Transportation to sell certain property utilized by the Department of Highway Safety and Motor Vehicles; amending s. 14.2015, F.S.; establishing an economic development grant program under the Office of Tourism, Trade, and Economic Development; providing criteria, requirements, and restrictions with respect thereto; amending ss. 288.108 and 288.90152, F.S.; correcting cross references; providing for future repeal; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing severability; providing an effective date.

—was read the second time by title.

Senator Sullivan moved **Amendment 1** which was adopted.

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

On motions by Senator Sullivan, by two-thirds vote **HB 4217** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Madam President	Brown-Waite	Campbell	Childers
Bronson	Burt	Casas	Clary

Cowin	Gutman	Kurth	Scott
Crist	Hargrett	Latvala	Silver
Diaz-Balart	Harris	Laurent	Sullivan
Dudley	Holzendorf	Lee	Thomas
Dyer	Horne	McKay	Turner
Forman	Jones	Meadows	Williams
Geller	Kirkpatrick	Myers	
Grant	Klein	Rossin	

Nays—1

Ostalkiewicz

MOTION

On motion by Senator Sullivan, the House was requested to concur in the Senate amendment to **HB 4217**, and in the event the House refuses to concur, moved that a conference committee be appointed.

MOTION

Senator Childers moved that the rules be waived to allow the Senate Appropriations Conferees on **HB 4201, HB 4203, HB 4207, HB 4211, HB 4215, HB 4205, HB 4209, HB 4213** and **HB 4217** the latitude to deal with additional issues which may develop in conference. The motion was adopted.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, March 25, 1998: CS for SB 846, SB 1004, CS for SB 1144, CS for SB 1152, SB 1232, CS for SB 1332, SB 1334, SB 1336, CS for SB 1342, CS for SB 1346, SB 1348, SB 1350, CS for SB 1410, SB 1434, SB 1436, SB 1438, SB 1700, CS for SB 1702, CS for SB 1706, CS for SB 1714, SB 1720, SB 1762, SB 142, SB 1316, CS for SB 644, CS for SB 1574, SB 106, SB 444, CS for SB 586, SB 526, CS for SB 276, SB 480, CS for SB 930, CS for SB 156, SB 766

Respectfully submitted,
W. G. (Bill) Bankhead, Chairman

The Committee on Education recommends the following pass: SB 660

The bill was referred to the Committee on Children, Families and Seniors under the original reference.

The Committee on Children, Families and Seniors recommends the following pass: SB 2014 with 4 amendments

The bill was referred to the Committee on Commerce and Economic Opportunities under the original reference.

The Committee on Executive Business, Ethics and Elections recommends the following pass: SB 804

The Committee on Judiciary recommends the following pass: SB 462 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 1212

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

The Committee on Health Care recommends the following pass: SB 1636 with 1 amendment

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

The Committee on Criminal Justice recommends the following pass: SB 2012

The bill was referred to the Committee on Executive Business, Ethics and Elections under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1632 with 1 amendment

The Committee on Education recommends the following pass: SB 1220, SB 1738 with 1 amendment

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

The Committee on Community Affairs recommends the following pass: SB 2164

The Committee on Criminal Justice recommends the following pass: SB 206

The Committee on Governmental Reform and Oversight recommends the following pass: SB 1162, SB 1482

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

The Committee on Agriculture recommends the following pass: SB 1924 with 12 amendments

The Committee on Transportation recommends the following pass: SB 464, SB 1750 with 1 amendment

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

The Committee on Education recommends the following pass: SB 1882

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

The Committee on Agriculture recommends the following pass: SB 1944 with 2 amendments, SB 2040

The Committee on Children, Families and Seniors recommends the following pass: SB 62 with 1 amendment, SB 1264

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 884, SB 1724, SB 1806

The Committee on Community Affairs recommends the following pass: SB 712, SJR 738 with 1 amendment, SB 1010, CS for SB 1088 with 1 amendment, SB 2222

The Committee on Criminal Justice recommends the following pass: SJR 610

The Committee on Education recommends the following pass: SB 1896

The Committee on Governmental Reform and Oversight recommends the following pass: SB 1462

The Committee on Health Care recommends the following pass: CS for SB 926 with 2 amendments

The Committee on Regulated Industries recommends the following pass: SB 1976

The bills 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 the following pass: SB 1972

The Committee on Children, Families and Seniors recommends the following pass: SB 264, SB 1188 with 1 amendment, SB 1962

The Committee on Community Affairs recommends the following pass: SB 1260 with 1 amendment

The Committee on Criminal Justice recommends the following pass: SB 2090

The Committee on Governmental Reform and Oversight recommends the following pass: SB 150 with 1 amendment, SB 940, SB 1898

The Committee on Natural Resources recommends the following pass: SB 1058

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

The Committee on Banking and Insurance recommends the following not pass: SB 224

The bill was laid on the table.

The Committee on Health Care recommends a committee substitute for the following: SB 1228

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

The Committee on Transportation recommends a committee substitute for the following: SB 1104

The bill with committee substitute attached was referred to the Committee on Commerce and Economic Opportunities under the original reference.

The Committee on Natural Resources recommends a committee substitute for the following: SB 1596

The Committee on Transportation recommends committee substitutes for the following: SB 1456, SB 1498

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2198

The Committee on Education recommends committee substitutes for the following: Senate Bills 1358 and 160, SB 1736

The Committee on Health Care recommends a committee substitute for the following: SB 1230

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 committee substitutes for the following: SB 1432, SB 1800

The bills with committee substitutes attached were referred to the Committee on Health Care under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 1704

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

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 726, SB 1512

The Committee on Commerce and Economic Opportunities recommends committee substitutes for the following: SB 1612, SB 1760, SB 1934

The Committee on Criminal Justice recommends committee substitutes for the following: SB 914, SB 1254

The Committee on Education recommends committee substitutes for the following: SB 1142, Senate Bills 2156 and 1910

The Committee on Judiciary recommends a committee substitute for the following: SB 460

The Committee on Transportation recommends a committee substitute for the following: SB 1678

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 Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1708

The Committee on Community Affairs recommends committee substitutes for the following: SB 1458, SB 1578

The Committee on Criminal Justice recommends a committee substitute for the following: SB 346

The Committee on Executive Business, Ethics and Elections recommends committee substitutes for the following: SB 152, SB 886

The Committee on Governmental Reform and Oversight recommends committee substitutes for the following: SB 832, CS for SB 1046

The Committee on Health Care recommends a committee substitute for the following: SB 1716

The Committee on Judiciary recommends committee substitutes for the following: SB 280, CS for SB 626

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

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 Forman—

SB 2340—A bill to be entitled An act relating to indoor air quality; amending s. 381.0101, F.S., relating to environmental health professionals; defining the term "indoor environmental evaluation"; providing duties of the environmental health professionals advisory board; amending standards for certification; amending fees for certification; requiring the administrators of certain health care institutions and educational institutions, and the operators of child care facilities, annually to complete

coursework in the identification of indoor-air-quality problems and measures for eliminating or reducing such problems; requiring architects who submit proposals for building or renovating health care facilities and child care facilities to complete such instruction; requiring the Department of Health to provide the instruction to certain administrators and architects; requiring the Department of Education to provide such instruction to heads of schools and to presidents of colleges and universities, or their designees, to risk managers and maintenance supervisors in those educational institutions, and to architects who submit proposals for building or renovating educational facilities; providing an effective date.

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

By Senator Bankhead—

SB 2342—A bill to be entitled An act relating to long-term care; amending s. 110.161, F.S.; authorizing the Division of State Group Insurance to establish a pretax benefit program for long-term-care expenses; creating s. 430.801, F.S.; creating the Florida Employee Long-Term-Care Plan Act; directing the Department of Elderly Affairs to develop, implement, and administer the long-term care plan for public employees; providing for a Florida Employee Long-Term-Care Plan Advisory Council and a Florida Employee Long-Term-Care Board of Trustees; providing an effective date.

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

By Senator Bankhead—

SB 2344—A bill to be entitled An act relating to trust funds; creating s. 403.802, F.S.; creating the Florida Employee Long-term Care Plan Trust Fund; specifying sources of moneys in the fund; providing for administration of the fund; providing for uses of the fund; providing for investment of moneys in the fund for certain purposes; providing that the fund is exempt from constitutional termination requirements; amending s. 215.22, F.S.; exempting the trust fund from the general revenue service charge; providing an effective date.

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

By Senator Campbell—

SB 2346—A bill to be entitled An act relating to state lands; amending s. 253.03, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to enter special-event agreements for the use of submerged lands for events that meet specified criteria; providing an effective date.

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

By Senator Campbell—

SB 2348—A bill to be entitled An act relating to governmental organization; transferring powers, duties, functions, personnel, and assets of the Department of Children and Family Services relating to home care for the elderly, community care for disabled adults, contracted geriatric mobile crisis response, home and community based waiver services for disabled adults, temporary emergency shelter for adult victims of abuse, neglect, or exploitation, adult protective services, adult payments, adult foster home care, personal care allowance, and adult congregate living supplement to the Department of Elderly Affairs; amending ss. 410.0245, 410.032, 410.502, 410.602, 410.603, 410.604, 415.605, 415.102, 415.1055, 415.107, 409.903, F.S., to conform; providing an effective date.

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

By Senator Cowin—

SB 2350—A bill to be entitled An act relating to education (RAB); amending s. 229.57, F.S.; authorizing the Commissioner of Education to establish criteria for exempting a student from taking certain parts of the high school competency test; amending s. 232.2466, F.S.; modifying the criteria for awarding a differentiated college-ready diploma; amending s. 240.116, F.S.; requiring the State Board of Education to adopt rules for any dual-enrollment programs involving requirements for high school graduation; amending s. 240.33, F.S.; requiring the State Board of Education to adopt rules to articulate foreign-language competency and equivalency between secondary and postsecondary schools; providing an effective date.

—was referred to the Committee on Education.

By Senator Horne—

SB 2352—A bill to be entitled An act relating to trust funds; creating the Florida School District Review Trust Fund to be administered by the Office of Program Policy Analysis and Government Accountability; directing the office to use the fund to pay the cost of best financial management practice reviews; providing for refunds to school districts; amending s. 230.23025, F.S.; providing for the deposit of funds from school districts; providing a contingent effective date.

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

By Senator Clary—

SB 2354—A bill to be entitled An act relating to a pilot baitfish tarpaulin seine program; establishing objectives for evaluation of the seines; authorizing the collection of fees from baitfish tarpaulin seine landings and the use of revenues for evaluation of the program; providing an effective date.

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

By Senators Laurent and Dyer—

SB 2356—A bill to be entitled An act relating to water resources; amending s. 373.026, F.S.; providing for the Legislature to approve or disapprove the Central and Southern Florida Flood Control Project Resudy or any of its plans or projects; providing an effective date.

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

Senate Resolutions 2358—2360—Not referenced.

By Senator Bankhead—

SB 2362—A bill to be entitled An act relating to the Joint Legislative Claims Committee; creating s. 11.80, F.S.; establishing the Joint Legislative Claims Committee; providing for membership and appointment; providing for governance of the committee by joint rules; creating s. 11.81, F.S.; providing powers of the Joint Legislative Claims Committee; providing for the appointment and authority of special masters; providing penalties for contemptuous conduct before the committee or special master; providing for the crime of false swearing; providing penalties; providing for the enforcement of subpoenas during and between legislative sessions; authorizing the payment of expenses to witnesses; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SCR 2364—A concurrent resolution proposing the adoption of Joint Rule 8, Joint Rules of the Florida Legislature, relating to the Joint Legislative Claims Committee.

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

Senate Resolutions 2366—2368—Not referenced.

By the Committee on Ways and Means—

SB 2370—A bill to be entitled An act relating to trust funds; re-creating the Turnpike Controlled Access Trust Fund within the Department of Transportation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2372—A bill to be entitled An act relating to trust funds; re-creating the Toll Facilities Revolving Trust Fund within the Department of Transportation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2374—A bill to be entitled An act relating to trust funds; re-creating the Transportation Disadvantaged Trust Fund within the Department of Transportation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2376—A bill to be entitled An act relating to trust funds; re-creating the Highway Safety Operating Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2378—A bill to be entitled An act relating to trust funds; re-creating the DUI Programs Coordination Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2380—A bill to be entitled An act relating to trust funds; re-creating the Law Enforcement Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying for-

ward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2382—A bill to be entitled An act relating to trust funds; re-creating the Fuel Tax Collection Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2384—A bill to be entitled An act relating to trust funds; re-creating the Mobile Home and Recreational Vehicle Protection Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2386—A bill to be entitled An act relating to trust funds; re-creating the Grants and Donations Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2388—A bill to be entitled An act relating to trust funds; re-creating the Working Capital Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2390—A bill to be entitled An act relating to trust funds; re-creating the License Tax Collection Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2392—A bill to be entitled An act relating to the re-creation of the Crimes Compensation Trust Fund without modification; re-creating the Crimes Compensation Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2394—A bill to be entitled An act relating to the re-creation of the Florida Crime Prevention Training Institute Revolving Trust Fund without modification; re-creating the Florida Crime Prevention Training Institute Revolving Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2396—A bill to be entitled An act relating to the re-creation of the Grants and Donations Trust Fund of the Department of Legal Affairs without modification; re-creating the Grants and Donations Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2398—A bill to be entitled An act relating to the re-creation of the Legal Services Trust Fund without modification; re-creating the Legal Services Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2400—A bill to be entitled An act relating to the re-creation of the Legal Affairs Revolving Trust Fund without modification; re-creating the Legal Affairs Revolving Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2402—A bill to be entitled An act relating to the re-creation of the Motor Vehicle Warranty Trust Fund without modification; re-creating the Motor Vehicle Warranty Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2404—A bill to be entitled An act relating to the re-creation of the Revolving Escrow Trust Fund without modification; re-creating the Revolving Escrow Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2406—A bill to be entitled An act relating to the re-creation of the Criminal Justice Training Trust Fund of the Department of Corrections without modification; re-creating the Criminal Justice Training Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2408—A bill to be entitled An act relating to the re-creation of the Hurricane Andrew Recovery and Rebuilding Trust Fund without modification; re-creating the Hurricane Andrew Recovery and Rebuilding Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2410—A bill to be entitled An act relating to the re-creation of the Florida Agricultural Exposition Trust Fund without modification; re-creating the Florida Agricultural Exposition Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2412—A bill to be entitled An act relating to the re-creation of the Grants and Donations Trust Fund of the Department of Corrections without modification; re-creating the Grants and Donations Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2414—A bill to be entitled An act relating to the re-creation of the Operating Trust Fund of the Department of Corrections without modification; re-creating the Operating Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2416—A bill to be entitled An act relating to trust funds; re-creating the Highway Patrol Insurance Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2418—A bill to be entitled An act relating to trust funds; declaring the findings of the Legislature that specified trust funds in the Department of Transportation are exempt from the automatic-termination requirements of Section 19(f), Article III of the State Constitution; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2420—A bill to be entitled An act relating to trust funds; terminating specified trust funds and fund accounts within the Department of Transportation; providing for the transfer of current balances to general revenue, the paying of outstanding debts and obligations, and the removal of the terminated funds and accounts from the various state accounting systems; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2422—A bill to be entitled An act relating to the re-creation of the Capital Collateral Trust Fund without modification; re-creating the Capital Collateral Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2424—A bill to be entitled An act relating to the re-creation of the Child Support Trust Fund without modification; re-creating the Child Support Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2426—A bill to be entitled An act relating to the re-creation of the State Attorney RICO Trust Fund without modification; re-creating the State Attorney RICO Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2428—A bill to be entitled An act relating to the re-creation of the Consumer Frauds Trust Fund without modification; re-creating the Consumer Frauds Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2430—A bill to be entitled An act relating to the re-creation of the State Attorney's Forfeiture and Investigative Support Trust Fund without modification; re-creating the State Attorney's Forfeiture and Investigative Support Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2432—A bill to be entitled An act relating to the re-creation of the Grants and Donations Trust Fund without modification; re-creating the Grants and Donations Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2434—A bill to be entitled An act relating to the re-creation of the Administrative Trust Fund of the Department of Legal Affairs without modification; re-creating the Administrative Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2436—A bill to be entitled An act relating to the re-creation of the Florida Motor Vehicle Theft Prevention Trust Fund without modification; re-creating the Florida Motor Vehicle Theft Prevention Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2438—A bill to be entitled An act relating to the re-creation of the Consumer Frauds Trust Fund without modification; re-creating the Consumer Frauds Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2440—A bill to be entitled An act relating to the re-creation of the Sales of Goods and Services Clearing Trust Fund without modification; re-creating the Sale of Goods and Services Clearing Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2442—A bill to be entitled An act relating to the re-creation of the Administrative Trust Fund within the Department of Law Enforcement without modification; re-creating the Administrative Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2444—A bill to be entitled An act relating to the re-creation of the Criminal Justice Standards and Training Trust Fund without modification; re-creating the Criminal Justice Training Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2446—A bill to be entitled An act relating to the re-creation of the Forfeiture and Investigative Support Trust Fund without modification; re-creating the Forfeiture and Investigative Support Trust Fund; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2448—A bill to be entitled An act relating to the re-creation of the Grants and Donations Trust Fund of the Department of Law Enforcement without modification; re-creating the Grants and Donations Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2450—A bill to be entitled An act relating to the re-creation of the Operating Trust Fund of the Department of Law Enforcement without modification; re-creating the Operating Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2452—A bill to be entitled An act relating to the re-creation of the Revolving Trust Fund of the Department of Law Enforcement without modification; re-creating the Revolving Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2454—A bill to be entitled An act relating to the re-creation of the Working Capital Trust Fund of the Department of Law Enforcement without modification; re-creating the Working Capital Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2456—A bill to be entitled An act relating to the re-creation of the Grants and Donations Trust Fund of the Florida Parole Commission without modification; re-creating the Grants and Donations Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2458—A bill to be entitled An act re-creating the Administrative Trust Fund within the Department of Juvenile Justice without modification; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2460—A bill to be entitled An act re-creating the Grants and Donations Trust Fund within the Department of Juvenile Justice without modification; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2462—A bill to be entitled An act re-creating the Juvenile Crime Prevention/Early Intervention Trust Fund within the Department of Juvenile Justice without modification; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2464—A bill to be entitled An act re-creating the Juvenile Justice Training Trust Fund within the Department of Juvenile Justice without modification; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2466—A bill to be entitled An act re-creating the Social Services Block Grant Trust Fund within the Department of Juvenile Justice without modification; carrying forward current balances and continuing current sources and uses; providing an effective date.

—was referred to the Committee on Ways and Means.

SR 2468—Not referenced.

By Senator Turner—

SB 2470—A bill to be entitled An act relating to contractors; creating s. 489.112, F.S.; authorizing local governments to adopt ordinances relating to journeyman craftsmen, including requirements for presence of such craftsmen, including certified or registered contractors, at job sites; amending s. 489.113, F.S.; providing for proceedings against contractors who violate local requirements that journeyman craftsmen be present on a job site; providing for appeals of disciplinary action taken; providing intent with respect to such requirements; creating s. 489.5185, F.S.; authorizing local governments to adopt ordinances relating to journeyman craftsmen, including requirements for presence of such craftsmen, including certified or registered electrical contractors, at job sites; amending s. 489.516, F.S.; providing for proceedings against electrical and alarm system contractors who violate local requirements that journeyman craftsmen be present on a job site; providing for appeals of disciplinary action taken; providing intent with respect to such requirements; providing an effective date.

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

SR 2472—Not referenced.

By Senator Lee—

SB 2474—A bill to be entitled An act relating to planning for educational facilities; amending s. 163.3177, F.S.; requiring that the future land use element of a local government's comprehensive plan include certain criteria relating to location of schools; specifying the date by which such plans must comply and providing effect of noncompliance; providing requirements with respect to the data and analyses on which a public school facilities element should be based; providing for goals, objectives, and policies; providing for a future conditions map and certain reciprocal agreements; amending s. 163.3180, F.S.; revising requirements for imposition of a school concurrency requirement by a local government and for the local government comprehensive plan or plan amendment to implement such requirement; requiring a public schools facilities element; providing requirements for level of service standards; providing requirements for designation of service areas; providing requirements with respect to financial feasibility; specifying an availability standard; requiring that intergovernmental coordination requirements be satisfied and providing that certain municipalities are not required to be a signatory of the required interlocal agreement; providing duties of such municipalities to evaluate their status and enter into the interlocal agreement when required, and providing effect of failure to do so; directing the state land planning agency to adopt by rule minimum criteria for review and determination of compliance of a public schools facilities element and for the associated interlocal agreement; amending s. 163.3191, F.S.; providing that the local planning agency's

periodic report on the comprehensive plan shall assess the coordination of the plan with public schools; amending s. 235.185, F.S.; directing school boards to adopt annually 10-year and 20-year work programs in addition to the required 5-year district facilities work program; amending s. 235.186, F.S.; including additional expenditures in a district's planned basic capital outlay expenditures that may be eligible for an effort index grant; including districts that have adopted a public school facilities element in districts to which priority consideration for such grants should be given under certain circumstances; amending s. 235.19, F.S.; providing a directive to school boards with respect to school location; amending s. 235.193, F.S.; providing requirements for the 5-year district facilities work program with respect to enrollment and population projections; precluding the siting of new schools in certain jurisdictions; amending s. 235.2155, F.S.; specifying additional savings by school districts which the SIT Program is designed to reward; providing that the SMART Schools Clearinghouse shall examine data relating to educational facilities planning, and favorably consider districts where local governments have adopted a public school facilities element, in recommending SIT Program awards; authorizing use of such awards for offsite infrastructure needs generated by development of educational facilities; providing for interim use of certain criteria and guidelines by the state land planning agency in compliance review of a school concurrency system; providing an effective date.

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

By Senator Clary—

SB 2476—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 455.2226, F.S.; requiring funeral directors and embalmers to provide proof of completion of continuing education requirements; amending s. 455.2228, F.S.; requiring barbers and cosmetologists to provide proof of completion of continuing education requirements; amending s. 455.273, F.S.; revising provisions related to the submission and processing of proof of completion of continuing education requirements for licensees regulated by the department; providing for the department to contract for this service; deleting requirements that licensees sign such proof; amending s. 474.211, F.S.; deleting an affidavit requirement for veterinarians; amending s. 489.115, F.S.; deleting a signature requirement for contractors; providing effective dates.

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

By Senator Rossin—

SB 2478—A bill to be entitled An act relating to the Board of Trustees of the Internal Improvement Trust Fund; directing the board to transfer certain properties to the Florida Atlantic University Foundation, Inc., for the Pine Jog Environmental Education Center; providing restrictions on the use of the land; providing an effective date.

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

By Senator Lee—

SB 2480—A bill to be entitled An act relating to alternative education programs; amending s. 230.23162, F.S.; providing for a specified public education facility to be jointly operated by the Department of Juvenile Justice and the Hillsborough County school district; specifying the qualifications of students who may be served in the facility; providing for funding of the facility; providing an effective date.

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

SR 2482—Not referenced.

By Senator Geller—

SB 2484—A bill to be entitled An act relating to fire prevention and control; amending s. 633.021, F.S.; defining the term "fire extinguisher"; amending s. 633.061, F.S.; requiring an individual or organization that hydrotests fire extinguishers and preengineered systems to obtain a permit or license from the State Fire Marshal; revising the services that may be performed under certain licenses and permits issued by the State Fire Marshal; increasing the amount of insurance coverage that an applicant for licensure is required to obtain; providing additional application requirements; providing requirements for obtaining an upgraded license; amending ss. 633.065, 633.071, F.S.; providing requirements for installing and inspecting fire suppression equipment; amending s. 633.162, F.S.; prohibiting an owner, officer, or partner of a company from applying for licensure if the license held by the company is suspended or revoked; revising the grounds upon which the State Fire Marshal may deny, revoke, or suspend a license or permit; amending s. 633.171, F.S.; revising the prohibition against rendering a fire extinguisher or preengineered system inoperative to conform to changes made by the act; amending s. 489.105, F.S., relating to contracting; conforming a cross-reference to changes made by the act; providing an effective date.

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

By Senator Rossin—

SB 2486—A bill to be entitled An act expressing legislative intent to revise the laws relating to alligator egg collection and protection.

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

By Senator McKay—

SB 2488—A bill to be entitled An act relating to manatee license plates; amending s. 320.08056, F.S.; increasing the annual use fee; amending s. 320.08058, F.S.; revising the permitted use of such fees; amending s. 215.22, F.S.; exempting the Save the Manatee Trust Fund from certain required contributions to the General Revenue Fund; providing an effective date.

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

By the Committee on Ways and Means—

SB 2490—A bill to be entitled An act relating to trust funds; creating the Privately Operated Institutions Inmate Welfare Trust Fund within the Department of Corrections; providing for purposes and sources of funds; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2492—A bill to be entitled An act relating to trust funds; creating the Employee Benefit Trust Fund within the Department of Corrections; providing for purposes and sources of funds; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2494—A bill to be entitled An act relating to trust funds; re-creating the Grants and Donations Trust Fund within the state courts system without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2496—A bill to be entitled An act relating to trust funds; re-creating the Working Capital Trust Fund within the state courts system without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2498—A bill to be entitled An act relating to trust funds; re-creating the Appellate Opinion Distribution Trust Fund within the state courts system without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

Senate Bills 2500—2502 were previously referenced.

SB 2504—Reserved for appropriations

By the Committee on Ways and Means—

SB 2506—A bill to be entitled An act relating to trust funds; re-creating the Correctional Work Program Trust Fund within the Department of Corrections without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2508—A bill to be entitled An act relating to trust funds; re-creating the Indigent Criminal Defense Trust Fund within the Justice Administrative Commission without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2510—A bill to be entitled An act relating to trust funds; re-creating the Elections Commission Trust Fund within the Department of Legal Affairs without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2512—A bill to be entitled An act relating to trust funds; re-creating the Family Courts Trust Fund within the state courts system

without modification; carrying forward current balances and continuing current sources and uses thereof; providing for future termination; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2514—A bill to be entitled An act relating to trust funds; re-creating the Family Courts Trust Fund within the state courts system without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2516—A bill to be entitled An act relating to trust funds; creating the Inmate Welfare Trust Fund within the Department of Corrections; providing for purposes and sources of funds; providing for annual carry-forward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2518—A bill to be entitled An act relating to trust funds; re-creating the Court Education Trust Fund within the state courts system without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2520—A bill to be entitled An act relating to trust funds; re-creating the State Mediation and Arbitration Trust Fund within the state courts system without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 2522—A bill to be entitled An act relating to trust funds; modifying provisions relating to specified trust funds and fund accounts within the Department of Corrections; amending s. 945.215, F.S.; providing sources of funds and purposes of the Inmate Welfare Trust Fund, the Privately Owned Institutions Inmate Welfare Trust Fund, and the Employee Benefit Trust Fund within the department; providing for annual appropriation of funds deposited in the Inmate Welfare Trust Fund; requiring certain annual reports; amending s. 945.31, F.S.; providing for deposit of the department's administrative processing fee in the department's Operating Trust Fund; amending s. 945.76, F.S.; revising provisions relating to fees for certification and monitoring of batterers' intervention programs; providing for deposit of such fees in the department's Operating Trust Fund; amending s. 944.10, F.S.; providing for deposit of contractual service and inmate labor fees in the Correctional Work Program Trust Fund; amending s. 948.09, F.S.; providing for deposit of the electronic monitoring surcharge in the department's Operating Trust Fund; amending s. 951.23, F.S.; providing for deposit of fees collected pursuant to local detention facility inspection agreements in the department's Operating Trust Fund; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Harris—

SB 2524—A bill to be entitled An act relating to the WAGES Program; amending s. 414.026, F.S.; requiring that the WAGES Program State Board of Directors approve the directives initiated by the Workforce Development Board of Enterprise Florida, Inc., in implementing the WAGES Program; creating s. 414.0262, F.S.; requiring that the Governor designate the staff of the WAGES Program State Board of Directors as a nonprofit corporation; amending s. 414.028, F.S.; revising requirements for a member of a local WAGES coalition in the case of a conflict of interest; providing requirements for disclosing any such conflict; providing for certain nonvoting members to be appointed to a local coalition; authorizing a local coalition to deliver certain services under the WAGES Program; providing for staff support for local coalitions; amending s. 414.065, F.S.; deleting provisions that require an employer to repay certain supplements or incentives under specified circumstances; creating a WAGES training bonus to be paid to an employer who hires certain program participants; amending s. 414.105, F.S.; providing for eligibility for extended temporary cash assistance under specified circumstances; providing that an individual who cares for a disabled family member is exempt from certain time limitations; providing an effective date.

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

By Senator Ostalkiewicz—

SB 2526—A bill to be entitled An act relating to utility services; requiring a municipal utility company that provides a utility service in more than one county to refund any profit derived from that service to the utility customers; providing an effective date.

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

By Senator Holzendorf—

SB 2528—A bill to be entitled An act relating to insurance; providing legislative intent with respect to encouraging the voluntary audit of activities regulated under the Florida Insurance Code; providing definitions; providing that an insurance compliance self-evaluative audit document is privileged information and not discoverable or admissible as evidence in a civil, criminal, or administrative proceeding; providing for certain information to be submitted to the Department of Insurance without waiving the privilege; specifying circumstances under which a court may compel the disclosure of material for which the privilege is asserted; providing procedures; providing for an in camera hearing; providing for certain stipulations to be made with respect to privileged information; providing for applicability; providing that the release of a self-evaluative audit document does not limit or abrogate certain other privileges; providing an effective date.

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

By Senator Holzendorf—

SB 2530—A bill to be entitled An act relating to the confidentiality of records relating to internal audits conducted by insurance companies; providing an exemption from public records requirements for certain documents submitted to the Department of Insurance in connection with a voluntary internal evaluation or audit; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

By Senator Turner—

SB 2532—A bill to be entitled An act relating to educational facilities; amending s. 235.26, F.S.; prohibiting local and state government boards and agencies from levying fees, assessments, or taxes on educational boards, districts, or facilities; providing an effective date.

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

By Senator Horne—

SB 2534—A bill to be entitled An act relating to the Excellent Teaching Program Trust Fund; creating the fund; providing a source of funds; providing purpose; providing for future review and termination or re-creation of the fund; providing a contingent effective date.

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

SCR 2536 was introduced out of order and referenced this day.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Executive Business, Ethics and Elections; and Senators Latvala, Dudley and Crist—

CS for SB 152—A bill to be entitled An act relating to the powers and duties of the Governor; amending s. 14.23, F.S.; regulating the nomination of appointees to federal regional fisheries management councils; providing an effective date.

By the Committee on Judiciary and Senator Williams—

CS for SB 280—A bill to be entitled An act relating to sales contracts for motor vehicle or truck repair parts; creating s. 686.30, F.S.; providing for contract agreement; providing requirements with respect to agreements between manufacturers and distributors of and dealers in motor vehicle or truck repair parts; requiring that termination of such contracts be done in good faith; providing definitions; prohibiting certain coercive acts by manufacturers; providing for liability; providing for applicability; providing liability of a manufacturer for terminating, canceling, or failing to renew a contract without good cause, for failure to make payments owed, and for failure to supply repair parts; providing for attorney's fees; providing for injunctive relief; providing an effective date.

By the Committee on Criminal Justice and Senators Campbell, Gutman, Dyer, Klein, Grant, Forman, Kurth and Rossin—

CS for SB 346—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.532, F.S.; providing that nothing in the section shall limit the right of a law enforcement or correctional agency to discipline or pursue criminal charges against an officer; amending s. 122.533, F.S.; revising provisions with respect to the receipt and processing of complaints to provide for certain recorded statements; amending s. 122.534, F.S.; providing a penalty for failure to comply with part VI of chapter 112, F.S.; providing definitions; providing an effective date.

By the Committee on Judiciary and Senator Crist—

CS for SB 460—A bill to be entitled An act relating to victim assistance; requiring that the Crime Victims' Services Office of the Department of Legal Affairs establish a toll-free telephone number to provide information on the status of a person convicted of a crime; providing for the information to be available to a crime victim, relative of a homicide victim, or witness of a crime; providing requirements for operating the

telephone number; requiring the Crime Victims' Services Office to provide updated address information for a victim, relative, or witness to specified agencies; requiring that the Crime Victims' Services Office verify information used to notify a victim, relative, or witness; providing an effective date.

By the Committees on Judiciary and Regulated Industries and Senators Silver and Dyer—

CS for CS for SB 626—A bill to be entitled An act relating to timeshare plans; amending s. 721.03, F.S.; revising provisions with respect to the scope of the chapter; providing for certain rules; amending s. 721.05, F.S.; defining the term “regulated short-term product”; amending s. 721.06, F.S.; revising provisions with respect to contracts for the purchase of timeshare periods; amending s. 721.07, F.S.; revising provisions with respect to public offering statements; providing a time period for amendments that add a new component site to an approved multisite timeshare plan; amending s. 721.075, F.S.; deleting provisions with respect to certain incidental benefits offered by a developer; amending s. 721.09, F.S.; revising provisions with respect to reservation agreements; providing for cancellation of such agreements under certain circumstances; amending s. 721.11, F.S.; requiring that advertisements of regulated short-term products be filed with the division; requiring disclosure statements for purchase agreements; amending s. 721.13, F.S.; revising provisions with respect to management; amending s. 721.15, F.S.; revising provisions with respect to assessments for common expenses; amending s. 721.18, F.S.; revising a time period with respect to the filing of certain information concerning exchange programs; amending s. 721.26, F.S.; authorizing the imposition of penalties with respect to certain rules; amending s. 721.265, F.S.; providing service of process in receivership proceedings; creating part III of chapter 721, F.S.; creating the “Timeshare Lien Foreclosure Act”; providing legislative purpose; providing definitions; providing for a registered agent; providing for the consolidation of foreclosure actions; creating part IV of ch. 721, F.S.; creating timeshare commissioners of deeds; providing an effective date.

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

CS for SB 726—A bill to be entitled An act relating to health care contracts; amending s. 627.419, F.S.; providing that health insurance policies that provide certain benefits must pay for the services of advanced registered nurse practitioners; providing an effective date.

By the Committee on Governmental Reform and Oversight; and Senators Kirkpatrick, Sullivan and Forman—

CS for SB 832—A bill to be entitled An act relating to information resources management; amending s. 186.021, F.S.; providing that certain information resources management projects are not required in agency strategic plans; amending s. 216.181, F.S.; providing that certain information resource management projects are not subject to the mandatory notice and review requirements for amendments to agencies' original approved operating budgets; amending s. 186.022, F.S.; providing that certain coordinating councils and boards are required to develop annual performance reports; amending s. 282.3063, F.S.; modifying the date for submission of the Agency Annual Information Resources Management Report; amending s. 282.310, F.S.; modifying the date by which the State Annual Report on Information Resources Management must be developed; requiring the inclusion of specified information within the report; amending s. 282.3091, F.S.; authorizing members of the State Technology Council to appoint designees to serve on their behalf; amending s. 282.322, F.S.; requiring the submission of quarterly reports for information resource projects designated for special monitoring; providing an additional recipient of project monitors' final reports; amending s. 282.404, F.S.; removing the chair of the Geographic Information Advisory Council as an ex officio member of the Geographic Information Board; requiring the chair to attend all meetings of the Geographic Information Board on behalf of the council; revising duties of the Geographic Information Board; providing that the board shall serve as coordinator for census activities; amending s. 215.96, F.S.; providing a technical correction; providing an effective date.

By the Committee on Executive Business, Ethics and Elections; and Senator Bronson—

CS for SB 886—A bill to be entitled An act relating to political advertisements; amending s. 106.143, F.S.; providing requirements for use of manipulated images in political advertisements; providing an effective date.

By the Committee on Criminal Justice and Senator Forman—

CS for SB 914—A bill to be entitled An act relating to the sentencing of capital felons; amending ss. 921.141, 921.142, F.S.; providing for a separate proceeding to determine whether a defendant accused of or convicted of a capital felony is mentally retarded; prescribing the penalty to be imposed if the defendant is determined to be mentally retarded; amending s. 924.07, F.S.; providing that the state may appeal a determination that a defendant is mentally retarded; providing a definition of mental retardation; providing an effective date.

By the Committees on Governmental Reform and Oversight; Agriculture; and Senator Bronson—

CS for CS for SB 1046—A bill to be entitled An act relating to rulemaking authority with respect to the regulation of the citrus industry; creating s. 601.9918, F.S.; authorizing the Florida Citrus Commission to refer to national or state requirements in rules relating to issuance and use of symbols, certification marks, service marks, and trademarks; amending s. 601.10, F.S.; authorizing the Department of Citrus to adopt a rule listing forms to be used in conducting its business; providing an effective date.

By the Committee on Transportation and Senator Campbell—

CS for SB 1104—A bill to be entitled An act relating to motor vehicle damage disclosure; creating s. 501.98, F.S.; prescribing the duty of motor vehicle manufacturers and dealers to disclose and to repair certain damage to motor vehicles; prescribing duty of dealers with respect to cooperation with manufacturers; providing remedies for purchasers of damaged motor vehicles, including injunctive relief and attorney's fees; apportioning liability for certain damage and repairs; providing an effective date.

By the Committee on Education and Senator Gutman—

CS for SB 1142—A bill to be entitled An act relating to courses of study and instructional materials; amending s. 233.061, F.S.; including the study of Hispanic contributions and women's contributions to the the United States in required public school instruction; providing an effective date.

By the Committee on Health Care and Senators Brown-Waite, Myers, Bankhead, Burt, Silver and Forman—

CS for SB 1228—A bill to be entitled An act relating to children's health care; amending s. 409.904, F.S.; providing for children under specified ages who are not otherwise eligible for the Medicaid program to be eligible for optional payments for medical assistance; creating s. 409.9045, F.S.; providing for a period of continuous eligibility for Medicaid for children; amending s. 409.9126, F.S.; making the Children's Medical Services network available to certain children who are eligible for the Florida Kids Health program; authorizing the inclusion of behavioral health services as part of the Children's Medical Services network; establishing the reimbursement methodology for services provided to certain children through the Children's Medical Services network; specifying that the Children's Medical Services network is not subject to licensure under the insurance code or rules of the Department of Insurance; directing the Department of Health to contract with the Department of Children and Family Services for certain services for children with special health care needs; authorizing the Department of Children

and Family Services to establish certain standards and guidelines; revising provisions to reflect the transfer of duties to the Department of Health; creating s. 409.810, F.S.; providing a short title; creating s. 409.811, F.S.; providing definitions; creating s. 409.812, F.S.; creating and providing the purpose for the Florida Kids Health program; creating s. 409.813, F.S.; specifying program components; specifying that certain program components are not an entitlement; creating s. 409.8135, F.S.; providing for program enrollment and expenditure ceilings; creating s. 409.814, F.S.; providing eligibility requirements; creating s. 409.815, F.S.; establishing requirements for health benefits coverage under the Florida Kids Health program; creating s. 409.816, F.S.; providing for limitations on premiums and cost-sharing; creating s. 409.817, F.S.; providing for approval of health benefits coverage as a condition of financial assistance; creating s. 409.818, F.S.; providing for program administration; specifying duties of the Department of Children and Family Services, the Department of Health, the Agency for Health Care Administration, the Department of Insurance, and the Florida Healthy Kids Corporation; authorizing application for federal waiver for alternative coverage; authorizing certain program modifications related to federal approval; transferring, renumbering, and amending s. 154.508, F.S., relating to outreach activities to identify low-income, uninsured children; creating s. 409.820, F.S.; requiring that the Department of Health develop standards for quality assurance and program access; establishing performance measures and standards for the Florida Kids Health program; repealing s. 624.92, F.S.; deleting the requirement that the Agency for Health Care Administration apply for a Medicaid federal waiver relating to the Healthy Kids Corporation; providing an appropriation; providing for application of the act to certain contracts between providers and the Florida Healthy Kids Corporation; providing an effective date.

By the Committee on Health Care and Senators Brown-Waite, Myers, Bankhead, Burt and Silver—

CS for SB 1230—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information provided by applicants to the Florida Kids Health program; providing an exemption for certain information obtained through quality assurance activities and patient satisfaction surveys; providing for future review and repeal; providing findings of public necessity; providing a contingent effective date.

By the Committee on Criminal Justice and Senator Grant—

CS for SB 1254—A bill to be entitled An act relating to vehicular homicide; amending s. 782.071, F.S.; redefining the offense of “vehicular homicide” to include the killing of a viable fetus by any injury to the mother caused by the operation of a motor vehicle by another; providing penalties; specifying when a fetus is viable; providing a right of action for civil damages; reenacting ss. 921.0012(3)(h) and 960.03(3), F.S., relating to the offense severity ranking chart and the definition of “crime” with respect to the Florida Crimes Compensation Act, respectively, to incorporate said amendment in references; amending s. 921.0012, F.S., relating to the offense severity ranking chart, to conform terminology; providing an effective date.

By the Committee on Education and Senators Grant, Kirkpatrick, Holzendorf, Horne, Clary, Cowin, Diaz-Balart, Latvala, Dyer, Silver, Casas, Klein, Kurth, Turner, Williams, Sullivan, Rossin, Crist, Harris, Forman, Thomas, Meadows, Lee, Burt, Bronson, McKay and Dudley—

CS for SB's 1358 and 160—A bill to be entitled An act relating to postsecondary 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. 228.055, F.S.; providing for a regional autism center; 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. 240.2097, F.S.; deleting a requirement that the Board of Regents report to the Legislature on limited-access programs; revising requirements for student handbooks; 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. 240.241, F.S., relating to divisions of sponsored research at state universities; providing an exemption from certain contract requirements; amending s. 240.2605, F.S., relating to the Trust Fund for Major Gifts; deleting Board of Regents' rulemaking power; authorizing the Board of Regents Foundation to participate in the major gifts program; amending s. 240.281, F.S.; revising the authority for an institution to deposit certain funds outside the State Treasury; amending s. 240.295, F.S., relating to fixed capital outlay projects; providing for dormitories; deleting Board of Regents' rulemaking power; 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), 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.

By the Committee on Banking and Insurance; and Senator Brown-Waite—

CS for SB 1432—A bill to be entitled An act relating to the delivery of health care services; creating s. 624.1291, F.S.; providing an exemption from the Insurance Code for certain health care services; creating s. 624.1292, F.S.; providing an exemption from the Insurance Code for certain contracts with self-funded ERISA plans; creating part IV of ch. 641, F.S., the “Provider-Sponsored-Organization Act”; providing legislative findings and purposes with respect to certain federal requirements for authorizing provider-sponsored organizations in this state to provide health care coverage to Medicare beneficiaries under the Medicare Choice plan; providing definitions; prohibiting a provider-sponsored organization from transacting insurance business other than the offering of Medicare Choice plans; providing applicability of parts I and III of ch. 641, F.S., to provider-sponsored organizations; providing exceptions; amending s. 641.227, F.S.; providing for deposits into the Rehabilitation Administrative Expense Fund by a provider-sponsored organization; providing for reimbursements; amending s. 641.316, F.S., relating to fiscal intermediary services; providing for an exemption from s. 455.654, F.S., to provider-sponsored organizations, relating to financial arrangements; providing an effective date.

By the Committee on Transportation—

CS for SB 1456—A bill to be entitled An act relating to transportation; amending s. 163.3191, F.S.; authorizing the Department of Community Affairs to grant an extension of the Evaluation and Appraisal

Report submission from local governments in order to coordinate planning efforts with Metropolitan Planning Organizations; amending s. 339.155, F.S.; providing planning factors to be considered in the Florida Transportation Plan; amending s. 339.175, F.S.; providing planning factors to be considered in Metropolitan Planning Organization transportation plans; providing for the creation of planning goals; creating the Land-Use Transportation Planning Reconciliation Committee; providing for its membership and duties; amending s. 341.053, F.S.; providing for the creation of the Strategic Intermodal Transportation and Economic Development Planning Council within the Department of Transportation; providing an effective date.

By the Committee on Community Affairs and Senators Latvala, Burt and Bankhead—

CS for SB 1458—A bill to be entitled An act relating to coastal redevelopment; amending s. 163.335, F.S.; providing legislative intent for the scope of activities included in community redevelopment; amending s. 163.340, F.S.; redefining the terms “blighted area,” “community redevelopment,” and “community redevelopment area”; creating s. 163.336, F.S.; providing legislative intent; providing for the geographical location of a pilot project; providing for pilot project administration; providing exemptions to certain coastal construction requirements; providing for the scheduled expiration of these provisions; providing an effective date.

By the Committee on Transportation and Senators Forman and Campbell—

CS for SB 1498—A bill to be entitled An act relating to the use of motor vehicles by persons who have disabilities; amending s. 316.1955, F.S.; clarifying standards for accessible parking spaces and parking access aisles; providing violations; providing penalties; amending s. 316.1958, F.S.; providing that a special motor vehicle license plate or parking permit issued by another state, district, or country is invalid with respect to a person who must have a Florida vehicle registration; amending s. 316.1964, F.S.; amending circumstances in which vehicles are exempt from paying parking fees and penalties; amending s. 318.18, F.S.; increasing the amount of the fine for illegally parking in a parking space for disabled persons; amending procedures for dismissing such fines and for distributing the proceeds of such fines; amending s. 320.0842, F.S.; amending prerequisites to qualifying for a free license plate as a veteran who uses a wheelchair due to a service-connected disability; amending s. 320.0843, F.S.; amending provisions related to license plates for wheelchair users; amending s. 320.0848, F.S.; amending provisions relating to the issuance of disabled parking permits; amending prerequisites; providing for replacement permits; providing for alternatives; amending requirements for the design of temporary permits; providing penalties for unlawfully displaying a disabled parking permit; providing additional grounds for confiscation of a disabled parking permit; providing for recordkeeping related to confiscation; providing for revoking the privilege of applying for a disabled parking permit; providing procedures related to confiscations and revocations; providing an effective date.

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

CS for SB 1512—A bill to be entitled An act relating to certified capital companies; amending s. 14.2015, F.S.; requiring the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor to administer tax credits; creating s. 288.99, F.S.; creating the “Certified Capital Company Act”; providing a short title; providing a purpose; providing definitions; providing certification procedures; providing deadlines; requiring an application fee; providing grounds for application denial or decertification; requiring the Department of Banking and Finance to enforce certification and decertification procedures; requiring certification reports filed with the Office of Tourism, Trade, and Economic Development; requiring an annual renewal fee; specifying investment benchmarks; specifying depositories for funds not invested in qualified businesses; providing a credit against premium tax liability; specifying effect of credit on retaliatory tax; providing an aggregate premium tax credit cap; providing a tax credit allocation formula; requiring forfeiture of tax credits under certain circumstances; providing for

an annual report by each certified capital company; requiring the Office of Tourism, Trade, and Economic Development to review and verify annual reports; authorizing the Department of Revenue to audit and examine books of certified capital companies and investors; providing for distributions to debt holders; requiring the Department of Banking and Finance to conduct annual reviews of certified capital companies; providing decertification procedures; providing a cure period; providing recapture of tax credits under certain circumstances; providing a schedule for tax credit recapture and penalties; providing for transfer of tax credits; requiring the Office of Tourism, Trade, and Economic Development to annually report to the Governor and the Legislature; providing for application and renewal fees; providing rulemaking authority; creating s. 287.0932, F.S.; exempting certain insurers from assessments and premium tax; providing appropriations; providing effective dates.

By the Committee on Community Affairs and Senator Forman—

CS for SB 1578—A bill to be entitled An act relating to metropolitan planning organizations; amending s. 339.175, F.S.; amending provisions prescribing the voting membership of an M.P.O.; providing an effective date.

By the Committee on Natural Resources and Senator Rossin—

CS for SB 1596—A bill to be entitled An act relating to water control districts; amending s. 298.005, F.S.; deleting the definition of the term “water control district” and revising the definition of the term “water control plan”; amending s. 298.11, F.S.; providing for landowner vote of fractional acreage; providing quorum requirements; amending s. 298.12, F.S.; providing for appointment of a supervisor; amending s. 298.16, F.S.; eliminating surety bond requirements for district engineers; amending s. 298.22, F.S.; providing criteria for awarding construction contracts; amending s. 298.225, F.S.; revising requirements for the development and amendment of district water control plans; amending s. 298.26, F.S.; revising use of the district engineer’s annual report; amending s. 298.301, F.S.; providing for the determination of benefits and damages; revising notice and report requirements; providing that the approval of a district water control plan and assessments is final unless court action is brought within 30 days after approval; amending s. 298.329, F.S.; conforming a statutory cross-reference; amending s. 298.353, F.S.; revising notice requirements; providing that district bonds may be payable from assessments on more than one unit; repealing s. 298.337, F.S., relating to levies of assessments on land use for land less than 1 acre; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senator Harris—

CS for SB 1612—A bill to be entitled An act relating to the “Florida Entertainment Industry Growth Act”; creating s. 288.125, F.S.; providing a short title; creating s. 288.1251, F.S.; providing definitions; creating s. 288.1252, F.S.; creating the Entertainment Florida Council within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing purpose, membership, terms, organization, powers, and duties of the council; renumbering and amending s. 288.12285, F.S.; changing a reference; conforming application of a provision granting confidentiality to the identities of certain donors or prospective donors to a direct-support organization; creating s. 288.1254, F.S.; creating the position of Entertainment Industry Commissioner; providing procedure for appointment of the Entertainment Industry Commissioner; providing powers and duties of the commissioner; creating s. 288.1255, F.S.; requiring the Office of Tourism, Trade, and Economic Development to adopt rules by which it may make specified expenditures for expenses incurred in connection with the performance of the duties of the Entertainment Florida Council; requiring approval of such rules by the Comptroller; requiring an annual report; providing certain requirements with respect to claims for expenses; providing a penalty for false or fraudulent claims; providing for civil liability; creating s. 288.1258, F.S.; authorizing application for approval by the Entertainment Industry Commissioner as a qualified production company for purposes of receiving sales tax exemptions; providing application procedure; providing for denial and revocation of a certificate of exemption; providing a penalty for falsification or unauthorized use of

an application for certificate of exemption; providing categories of qualification for certificate of exemption; providing for renewal of a certificate of exemption; providing for duties of the Department of Revenue with respect to sales tax exemption to qualified production companies; creating the Florida Entertainment Industry Model Permitting Task Force; providing purpose of the task force; providing for appointment of members to the task force; amending s. 14.2015, revising purposes of the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; amending s. 212.031, F.S., relating to the lease or rental of or license in real property; revising language with respect to property used as an integral part of the performance of qualified production services; amending s. 212.06, F.S., relating to the tax on sales, use, and other transactions; revising language with respect to the exemption for fabrication labor used in the production of a qualified motion picture; amending s. 212.0602, F.S., which exempts the purchase or lease of materials, equipment, and other items by specified educational entities, institutions, or organizations from the sales and use tax under certain limited circumstances; expanding the exemption to include real or personal property and support operations of such educational institutions; conforming references; amending s. 212.08, F.S.; revising the partial exemption from the tax on sales, use, and other transactions for master tapes, records, films, or video tapes; providing an exemption from such tax for certain entertainment industry production equipment; revising the term "amounts paid for the tangible elements"; clarifying definitions; providing definitions; requiring the Entertainment Industry Commissioner to keep specified records; requiring an annual report to the Legislature; repealing s. 212.08(12), F.S., on October 1, 2008; providing for review by the Legislature prior to repeal; amending s. 213.053, F.S., relating to confidentiality and information sharing by the Department of Revenue; providing for the sharing of specified information; amending ss. 288.108, 288.90152, F.S.; conforming cross-references; repealing s. 212.08(5)(f), F.S.; repealing the exemption from the tax on sales use and other transactions for specified motion picture or video equipment, and specified sound recording equipment, effective January 1, 1999; repealing s. 288.051, F.S., which provides a short title; repealing s. 288.052, F.S., relating to legislative findings and intent with respect to the "Florida Film and Television Investment Act"; repealing s. 288.053, F.S., relating to the Florida Film and Television Investment Board; repealing s. 288.054, F.S., relating to the administration and powers of the Florida Film and Television Investment Board; repealing s. 288.055, F.S., relating to the Florida Film and Television Investment Trust Fund; repealing s. 288.056, F.S., relating to conditions for film and television investment by the board; repealing s. 288.057, F.S., which requires an annual report by the board; repealing s. 288.1228, F.S., relating to the direct-support organization authorized by the Office of Tourism, Trade, and Economic Development to assist in the promotion and development of the entertainment industry; providing effective dates.

By the Committee on Regulated Industries and Senator Dudley—

CS for SB 1624—A bill to be entitled An act relating to condominiums and cooperatives; amending s. 718.103, F.S.; defining the terms "buyer" and "division"; amending s. 718.111, F.S.; providing for the operation of certain condominiums created prior to 1977 as single associations; permitting consolidated financial operation; requiring a developer-controlled association to exercise due diligence to obtain and maintain insurance; providing that failure to obtain and maintain adequate insurance shall constitute a breach of fiduciary responsibility by the developer-appointed members of the board of directors; providing that records may be obtained in person or by mail; providing specified associations must, upon written request, copy and deliver requested records and charge its actual costs; amending s. 718.112, F.S.; providing requirements for eligibility to be a candidate for the board; amending s. 718.116, F.S.; providing for unit owners and the developer to be assessed in accordance with their ownership interest in losses resulting from a natural disaster or an act of God; amending s. 719.103, F.S.; defining the terms "buyer" and "division"; amending s. 719.1035, F.S.; requiring filing of information; amending s. 719.104, F.S.; requiring notification; amending s. 719.106, F.S.; providing requirements relating to association meetings; amending s. 719.301, F.S.; providing rulemaking authority; amending s. 719.403, F.S.; requiring filing of information; amending s. 719.502, F.S.; providing conditions precedent to closing on a contract for sale or specified contracts for lease; providing rulemaking authority; amending s. 719.503, F.S.; providing conditions for closing within the 15-day voidability period; creating s. 719.621, F.S.; providing rulemaking

authority; amending s. 721.05, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Transportation and Senator Hargrett—

CS for SB 1678—A bill to be entitled An act relating to driver improvement schools; amending s. 318.1451, F.S.; providing additional standards for such schools; providing duties of the Department of Highway Safety and Motor Vehicles; deleting an obsolete requirement; providing for rulemaking; providing an effective date.

By the Committee on Community Affairs and Senators Bronson, Silver, Holzendorf, Meadows, Turner, Gutman, Harris and Myers—

CS for SB 1704—A bill to be entitled An act relating to use of rights-of-way by telecommunications companies; amending s. 337.401, F.S.; limiting taxes, fees, or charges imposed by municipalities for use of rights-of-way; limiting local government authority to regulate certain matters within the jurisdiction of the Florida Public Service Commission or the Federal Communications Commission; prohibiting requiring telecommunications companies from obtaining additional consent to use certain rights-of-way under certain circumstances; providing construction; providing application; providing a definition; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senator Holzendorf—

CS for SB 1708—A bill to be entitled An act relating to rulemaking authority with respect to the Department of Labor and Employment Security (RAB); amending s. 413.011, F.S.; authorizing rulemaking for vocational rehabilitation programs and forms; amending s. 413.051, F.S.; authorizing rulemaking for a vending facility program; amending ss. 443.036, 443.091, 443.131, 443.141, 443.151, F.S.; defining and modifying specific terms; allowing the Division of Unemployment Compensation to adopt rules to determine a claimant's ability to work and availability for work; allowing the division to prescribe by rule training criteria; clarifying types of contracts; allowing the division to adopt rules regarding total succession, procedures for changing methods of reporting, the application of partial payments and monetary and nonmonetary determinations and investigations of eligibility; amending s. 450.121, F.S.; authorizing the Division of Jobs and Benefits to adopt rules that define terms, prescribe documentation for proof of age, prescribe procedure with respect to removal of disability of nonage, require certain safety equipment and a safe workplace for minors, prescribe deadlines for responses to records requests, and state an official address; amending s. 450.30, F.S.; authorizing the division to adopt rules prescribing procedures for registering as a farm labor contractor; amending s. 450.33, F.S.; requiring insurance carriers to notify the division of impending cancellation of insurance on vehicles that transport farm workers; amending s. 450.38, F.S.; authorizing the division to adopt rules containing criteria for determining the amount of civil penalties; providing an effective date.

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

CS for SB 1716—A bill to be entitled An act relating to the rulemaking authority of the Department of Health with respect to laws that protect the public health, safety, and welfare (RAB); amending s. 232.032, F.S.; authorizing the department to adopt rules governing the immunization of children; amending s. 381.0011, F.S.; authorizing the department to adopt rules specifying conditions and procedures for imposing quarantines; amending s. 381.003, F.S.; providing requirements for the department in adopting rules governing the prevention and control program for communicable diseases; amending s. 381.0031, F.S.; requiring that certain hospitals and laboratories report to the department the occurrence of diseases that are a threat to public health; authorizing the department to adopt rules governing the reporting of such diseases; amending s. 381.006, F.S.; providing that the department's public health mission includes the regulation of sanitary facilities; amending s. 381.0062, F.S.; providing additional requirements for the

department in regulating suppliers of water; authorizing fees to cover inspection costs; amending s. 381.0065, F.S.; requiring that the department inspect and regulate certain commercial sewage systems and temporary facilities; providing inspection requirements for establishments that use an aerobic treatment unit or that generate commercial waste; requiring approval by the department before a municipality or political subdivision issues certain building or plumbing permits or authorizes occupancy; amending s. 381.0072, F.S.; redefining the term "food service establishment"; requiring that the department adopt rules governing sanitation standards; amending s. 381.008, F.S.; clarifying the definition of terms with respect to the department's regulation of migrant labor camps; amending s. 381.0083, F.S.; requiring that a person notify the department before constructing or renovating a migrant labor camp; requiring that a new owner of any such camp apply to the department for a permit; amending s. 381.0086, F.S.; authorizing the department to issue rules for maintaining the roads of a migrant labor camp; amending s. 381.0087, F.S.; specifying a time period for correcting a violation of a department rule; amending s. 381.0098, F.S.; providing for a funeral home that performs embalming procedures to be regulated as a biomedical waste generator; requiring that the department adopt rules for operating plans for managing biomedical waste; exempting certain generators of biomedical waste from permit requirements; authorizing the department to prorate fees; providing for enforcement; amending s. 381.0101, F.S.; revising terms with respect to the regulation of environmental health professionals; providing additional duties of the Environmental Health Professionals Advisory Board; providing requirements for the department in adopting rules; amending s. 381.89, F.S., relating to the regulation of tanning facilities; providing requirements for inspection reports and the training of operators; amending s. 383.011, F.S.; revising duties of the department with respect to administering the federal Child and Adult Care Food Program; authorizing the department to adopt rules for administering certain other federal programs; amending s. 384.33, F.S.; authorizing the department to adopt rules with respect to procedures for notifying a physician or person's partner of a sexually transmissible disease; amending s. 384.34, F.S.; authorizing the department to adopt rules for administering penalty provisions; amending s. 401.26, F.S.; requiring a vehicle permit for an aircraft used to provide life-support services; providing certain exceptions; requiring the department to adopt certain criteria and rules; amending ss. 401.265, 401.30, F.S.; authorizing the department to adopt rules governing the provision of life-support services; amending ss. 403.0625, 403.863, F.S.; authorizing the department to adopt rules governing the certification of environmental laboratories and public water supply laboratories; specifying acts for which the department may impose disciplinary sanctions; amending s. 404.056, F.S.; authorizing the department to establish criteria for certifying persons and businesses that conduct radon gas or radon progeny measurements; providing additional requirements for reporting the results of such measurements; amending s. 404.22, F.S.; providing requirements for the department in inspecting radiation machines and components; requiring persons who install such machines to register with the department; amending s. 468.306, F.S.; providing requirements for examinations; amending s. 489.553, F.S.; providing for out-of-state work experience and examinations to fulfill certain requirements for registration as a septic tank contractor; amending s. 489.555, F.S.; providing additional requirements for the certification of partnerships and corporations that offer septic tank contracting services; amending s. 499.005, F.S.; prohibiting misrepresentation or fraud in obtaining or distributing a prescription drug or device; amending s. 499.01, F.S.; authorizing the department to issue a permit for the distribution of drugs to a health care entity; providing for changing the type of permit issued; amending s. 499.012, F.S.; redefining the term "wholesale distribution" for purposes of the regulation of the sale of prescription drugs; authorizing the department to adopt rules for issuing permits and handling prescription drugs; amending s. 499.0121, F.S.; providing for the exemption of certain establishments from requirements governing the storage and handling of prescription drugs; amending s. 499.0122, F.S.; authorizing the department to adopt rules governing the sale of veterinary legend drugs; amending s. 499.013, F.S.; authorizing the department to adopt rules governing manufacturers of drugs or devices; amending s. 499.014, F.S.; requiring persons who process returned drugs to obtain a permit from the department; amending s. 499.015, F.S.; providing requirements for registering product names with the department; amending ss. 499.03, 499.65, F.S.; authorizing the department to adopt rules to allow researchers to possess prescription drugs or other; amending s. 499.05, F.S.; requiring the department to adopt rules governing recordkeeping and the storage, handling, and distribution of medical devices and over-the-counter drugs; amending s. 499.66, F.S.; revising the recordkeeping requirements for sales of other;

amending s. 499.67, F.S.; specifying unlawful acts with respect to the purchase, storage, or use of ether; amending s. 501.122, F.S.; authorizing the department to establish additional standards for the use of lasers; amending s. 513.045, F.S.; revising the permit fees charged to operators of mobile home parks and recreational camps; amending s. 513.05, F.S.; providing additional rulemaking authority for the department with respect to such parks and camps; amending s. 514.011, F.S.; defining the term "portable pool"; amending s. 514.0115, F.S.; authorizing the department to grant variances with respect to regulations governing the operation of swimming pools; amending s. 514.03, F.S.; revising requirements for construction plans for a public swimming pool or bathing place; amending s. 514.031, F.S.; requiring the posting of an operating permit for a pool; prohibiting the use of a portable pool as a public pool; amending s. 514.033, F.S.; providing for the department to prorate certain fees for an operating permit; amending s. 514.05, F.S.; authorizing the department to adopt rules specifying conditions for closing a pool; providing an effective date.

By the Committee on Education and Senator Horne—

CS for SB 1736—A bill to be entitled An act relating to job training; creating s. 446.609, F.S.; creating a school-to-work program entitled "Jobs for Florida's Graduates"; providing definitions and intent; providing requirements for school and student participation; creating an endowment fund and providing for appropriations and gifts; providing for the investment and deposit of funds in an operating account; creating an endowment foundation as a direct-support organization; providing duties of the foundation and a foundation board of directors; providing for use of funds and startup funding; requiring an annual audit and report; providing for rules; requiring legislative review of the program; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senator McKay—

CS for SB 1760—A bill to be entitled An act relating to unemployment compensation; amending s. 1, ch. 97-29, Laws of Florida; extending for an additional year a temporary reduction in certain contribution rates for specified employers; amending 443.101, F.S.; clarifying provisions relating to disqualification for benefits; amending s. 443.111, F.S.; extending for an additional year a temporary increase in the maximum weekly and yearly benefit amounts for unemployment compensation benefits; specifying benefit years; providing an effective date.

By the Committee on Banking and Insurance; and Senator Diaz-Balart—

CS for SB 1800—A bill to be entitled An act relating to health insurance; amending s. 222.22, F.S.; exempting moneys paid into a Medical Savings Account from attachment, garnishment, or legal process; amending s. 627.410, F.S.; exempting certain policies from rating requirements; amending s. 627.6425, F.S.; specifying exceptions to guaranteed renewability of individual health insurance policies; amending s. 627.6487, F.S.; redefining the term "eligible individual" for purposes of guaranteed-issuance of an individual health insurance policy; amending s. 627.6498, F.S.; requiring the Department of Insurance to establish standard risk rates for purposes of determining premium rates of coverage issued by the Florida Comprehensive Health Association; amending s. 627.6571, F.S.; specifying exceptions to guaranteed renewability of group health insurance policies; amending s. 627.6675, F.S.; requiring the Department of Insurance to annually establish standard risk rates for purposes of determining maximum premiums for conversion policies; revising standards for renewal of converted insurance policies; requiring the insurer to mail certain information to a person eligible for a converted policy, upon request; creating s. 627.6685, F.S.; requiring health insurers and health maintenance organizations to include in their plans that offer mental health coverage certain mental health benefits that are not less favorable than those for medical or surgical benefits covered by the plan; defining terms; providing exemptions; limiting applicability of this section; amending s. 627.674, F.S.; revising the minimum standards for Medicare Supplement policies; amending s. 627.6741, F.S.; revising requirements for insurers to issue, cancel, nonrenew, and replace Medicare supplement policies; restricting preexisting-condition exclusions;

authorizing the Department of Insurance to adopt rules governing guaranteed issue of Medicare supplement coverage for continuously covered individuals; amending s. 627.9403, F.S.; specifying the provisions of the Long-term Care Insurance Act that apply to limited benefit policies; amending s. 627.9404, F.S.; defining the term "limited benefit policy"; amending s. 627.9407, F.S.; revising the requirements for exclusion of coverage for preexisting conditions for long-term care policies; requiring limited-benefit policies to contain a disclosure statement regarding their qualification for favorable tax treatment; amending s. 627.94073, F.S.; revising the notice requirement for long-term care policies regarding the right to designate a secondary person to receive notice of lapse of coverage; amending s. 641.225, F.S.; increasing surplus requirements for health maintenance organizations; amending s. 641.285, F.S.; increasing deposit requirements for health maintenance organizations; revising exceptions; amending s. 641.26, F.S.; requiring health maintenance organizations to file certain reports with the Department of Insurance; requiring that health maintenance organizations provide additional information upon the request of the department; amending s. 641.31074, F.S.; revising requirements for guaranteed renewability of a health maintenance organization contract; amending s. 641.3111, F.S.; requiring health maintenance organization contracts to provide for an extension of benefits upon termination of the contract; amending s. 641.316, F.S.; revising the amount of the bond that a fiscal intermediary services organization is required to maintain; specifying certain additional requirements and conditions for the bond and the intermediary; amending s. 641.3922, F.S.; revising the method for establishing the maximum premium for converted contracts issued by health maintenance organizations; revising the exceptions to guaranteed renewability of converted health maintenance organization contracts; requiring a health maintenance organization to mail certain information to a person eligible for a converted contract; amending s. 641.495, F.S.; exempting from licensure under part I of ch. 395, F.S., certain beds of a health maintenance organization; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senator Dudley—

CS for SB 1934—A bill to be entitled An act relating to public lodging establishments; amending s. 509.32, F.S.; changing the date of submission of an annual report to the Governor by the Division of Hotels and Restaurants of the Department of Business Regulation; amending s. 509.191, F.S.; reducing the period of time in which certain unclaimed property left in a public lodging or public food service establishment must be held by the establishment; amending s. 509.201, F.S.; revising requirements for publishing advertisements relating to rates charged at specified public lodging establishments; providing an effective date.

By the Committee on Education and Senators Horne and Dyer—

CS for SB's 2156 and 1910—A bill to be entitled An act relating to education; creating s. 236.08106, F.S., relating to the Excellent Teaching Program; providing legislative findings and intent; authorizing monetary incentives and rewards for teaching excellence; providing for annual allocations to districts; providing fee subsidies and conditions for repayment of subsidies for participating in the certification program of the National Board of Professional Teaching Standards; requiring the distribution of certain monetary rewards to teachers; providing eligibility criteria; requiring release time for certain activities; providing for certain stipends; requiring certain district expenditures for professional development of teachers; amending s. 236.081, F.S.; authorizing categorical funding for the Excellent Teaching Program; amending s. 231.173, F.S., relating to certification of experienced out-of-state teachers and administrators; deleting a requirement for superintendents to request certification; providing for issuance of a professional certificate to individuals certified by the National Board of Professional Teaching Standards; conforming provisions; amending s. 231.24, F.S.; authorizing renewal of certificates through national certification; providing an effective date.

By the Committee on Criminal Justice and Senator Bankhead—

CS for SB 2198—A bill to be entitled An act relating to programs and services for juveniles; providing a short title; creating the Florida Chil-

dren's Cabinet within the Executive Office of the Governor; providing for membership; requiring the Children's Cabinet to hold public meetings; providing for appropriations to the Children's Cabinet; requiring that the Children's Cabinet coordinate programs to prevent juvenile crime and victimization; requiring that the Children's Cabinet submit a multi-agency plan to the Legislature; providing for regional workshops; requiring a report to the Legislature; amending s. 216.0166, F.S., relating to performance-based budget requests; requiring certain agencies to conform budget requests to the multiagency plan for preventing juvenile crime and victimization; amending s. 230.2316, F.S.; requiring coordination between a school district's dropout-prevention program and juvenile assessment centers; amending s. 230.23161, F.S.; requiring that the Department of Education adopt rules governing the allocation of funds for educational services provided by a school district at a facility of the Department of Juvenile Justice; specifying a percentage of funds to be allocated for direct educational services; providing legislative intent with respect to educational programs operated by the Department of Juvenile Justice; requiring that the Juvenile Justice Advisory Board conduct a study of the educational programs for juvenile offenders; providing for the board to report to the Governor and the Legislature; requiring the board to hold public hearings; providing an appropriation; requiring that the Office of Program Policy Analysis and Government Accountability conduct a performance review of educational programs for juvenile offenders; amending s. 237.34, F.S.; revising the requirements for program expenditures by school districts; creating s. 985.317, F.S.; providing legislative intent with respect to a functional literacy program for juvenile offenders; providing for the Department of Education to develop and administer a functional literacy program in residential commitment programs of the Department of Juvenile Justice; providing requirements for juveniles in participating in the program; specifying requirements for the program; providing for an initial assessment when a juvenile is admitted to a residential commitment facility; providing for certain juveniles to be exempt from participating in the literacy program; requiring that the Juvenile Justice Advisory Board evaluate the program and report to the Legislature; providing an effective date.

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 HB 4205, HB 4209, HB 4217; has passed as amended HB 41, CS for HB 319, CS for HB 1125, CS for HB 1159, HB 1519, CS for HB 1613, HB 4201, HB 4203, HB 4207, HB 4211, HB 4213, HB 4215 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Health and Human Services Appropriations; and Representative Sanderson—

HB 4205—A bill to be entitled An act relating to implementing the 1998-1999 General Appropriations Act in the area of health and human services; providing legislative intent; amending s. 61.1812, F.S.; crediting to the Child Support Incentive Trust Fund certain distributions of the state share of Temporary Assistance to Needy Families (TANF); amending s. 216.292, F.S.; authorizing the Department of Children and Family Services and the Agency for Health Care Administration to transfer general revenue funds between them; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 1998-1999 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; authorizing the Departments of Children and Family Services, Labor and Employment Security, Revenue, and Health and the Agency for Health Care Administra-

tion to transfer positions and funds to comply with the 1998-1999 General Appropriations Act or the WAGES Act; requiring the Agency for Health Care Administration to take necessary actions to ensure that expenditures for Medicaid do not exceed the amount budgeted and to take certain steps if that becomes impossible; providing for continuation and modification of the Legal Immigrant's Temporary Income Bridge Program; providing for future repeal; providing for providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing severability; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Criminal Justice Appropriations and Representative Villalobos—

HB 4209—A bill to be entitled An act relating to implementing the 1998-1999 General Appropriations Act in the area of criminal justice; providing legislative intent; amending s. 216.181, F.S.; authorizing the Department of Law Enforcement to transfer some positions and a certain percentage of salary rate between budget entities and providing requirements with respect thereto; providing for future repeal; providing for providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing severability; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Transportation and Economic Development Appropriations; and Representative Merchant—

HB 4217—A bill to be entitled An act relating to implementing the 1998-1999 General Appropriations Act in the area of transportation and economic development; providing legislative intent; amending s. 15.09, F.S.; authorizing the appropriation of funds from the Public Access Data Systems Trust Fund for the operations of the Department of State; amending s. 338.251, F.S.; authorizing a loan from the Toll Facilities Revolving Trust Fund to the St. Lucie County Expressway Authority for purposes relating to revenue-producing road projects; amending s. 253.034, F.S.; authorizing the Department of Transportation to sell certain property utilized by the Department of Highway Safety and Motor Vehicles; amending s. 14.2015, F.S.; establishing an economic development grant program under the Office of Tourism, Trade, and Economic Development; providing criteria, requirements, and restrictions with respect thereto; amending ss. 288.108 and 288.90152, F.S.; correcting cross references; providing for future repeal; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing severability; providing an effective date.

—was referred to the Committee on Ways and Means.

By Representative Brennan and others—

HB 41—A bill to be entitled An act relating to health insurance; providing a short title; amending s. 627.668, F.S.; providing that the current requirement for group insurers to offer coverage for mental health conditions does not apply to serious mental illness; creating s. 627.6681, F.S.; requiring group health insurers and health maintenance organizations to provide coverage for serious mental illness; requiring benefits to be the same as for physical illness generally; requiring the health benefit plan committee to consider and recommend modifications to standard, basic, and limited health benefit plans; requiring rate filings; providing a definition; providing rulemaking authority; authorizing an insurer to establish certain compliance functions; amending ss. 627.6472, 627.6515, 641.31, F.S., relating to exclusive provider organizations, out-of-state groups, and health maintenance contracts; providing requirements for coverage compliance; providing an appropriation; providing a description of state interest; providing an effective date.

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

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

CS for HB 319—A bill to be entitled An act relating to minority business enterprises; amending s. 287.0943, F.S.; providing a presumption for certain certification purposes; providing an exclusion; amending s. 288.703, F.S.; revising definitions; specifying application; providing an effective date.

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

By the Committee on Governmental Operations and Representative Jones—

CS for HB 1125—A bill to be entitled An act relating to notaries public; amending s. 117.01, F.S.; clarifying provisions relating to appointment of a notary public; providing requirements for a resigning notary public; amending s. 117.03, F.S.; deleting obsolete language; amending s. 117.04, F.S.; providing for acknowledgements by a notary; creating s. 117.045, F.S.; providing for solemnizing rites of marriage by a notary; limiting fees; amending s. 117.05, F.S.; specifying the elements of a notarial certificate; revising provisions relating to identification; providing for notice to the Governor of lost or stolen notary seals; revising provisions relating to copying certain documents; amending s. 117.10, F.S.; correcting a cross reference; amending s. 117.107, F.S.; revising certain provisions relating to prohibited acts; amending ss. 11.03, 475.180, 713.08, 713.13, 713.135, 713.245, 727.104, 732.503, and 747.051, F.S.; revising certain forms; providing an effective date.

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

By the Committee on Education Innovation and Representative Meek—

CS for HB 1159—A bill to be entitled An act relating to education; establishing a study commission to determine the feasibility of creating a residential mathematics and sciences academy; providing commission membership and duties; requiring presentation of findings and recommendations; providing an effective date.

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

By Representative Westbrook and others—

HB 1519—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. 409.9116, F.S.; providing that rural hospitals designated after July 1, 1998, shall not be included in the rural hospital disproportionate share of financial assistance programs unless additional appropriations are provided; providing an effective date.

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

By the Committee on Governmental Operations and Representative Dawson-White—

CS for HB 1613—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from the public records law for certain records furnished pursuant to certain housing assistance programs; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committee on Community Affairs.

By the Committee on Education Appropriations and Representative Sublette—

HB 4201—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Health and Human Services Appropriations; and Representative Sanderson—

HB 4203—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Criminal Justice Appropriations and Representative Villalobos—

HB 4207—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on General Government Appropriations and Representative K. Pruitt—

HB 4211—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on General Government Appropriations and Representative K. Pruitt—

HB 4213—A bill to be entitled An act relating to implementing the 1998-1999 General Appropriations Act in the area of general government; providing legislative intent; amending s. 376.11, F.S.; appropriating certain funds from the Florida Coastal Protection Trust Fund for the purpose of funding beach renourishment and restoration and inlet management; amending s. 212.20, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; providing for transfer of powers and duties relating to regulation of aquatic plant control from the Department of Environmental Protection to the Game and Fresh Water Fish Commission; providing for continuation of certain rules; providing a grandfather provision for persons permitted prior to the transfer; amending s. 206.606, F.S.; providing for transfer of certain funds each fiscal year to the Game and Fresh Water Fish Commission for aquatic plant management; amending ss. 369.20, 369.22, 369.25, 369.251, and 369.252, F.S., relating to regulation of aquatic plant control, to conform; amending s. 581.145, F.S.; revising a reference, to conform; amending s. 370.027, F.S.; providing an exception to rulemaking authority of the Marine Fisheries Commission with respect to specified marine life; providing that marine aquaculture producers shall be regulated by the Department of Agriculture and Consumer Services; amending s. 370.06, F.S.; revising provisions relating to issuance and renewal of saltwater products licenses and special activity licenses; amending s. 370.26, F.S., relating to aquaculture definitions; defining the term "marine aquaculture facility"; deleting requirements of an Aquaculture Section in the

Department of Environmental Protection; providing duties of the Department of Agriculture and Consumer Services; authorizing delegation of regulatory authority for certain aquaculture facilities; amending s. 372.0225, F.S.; revising responsibilities of the Division of Fisheries of the Game and Fresh Water Fish Commission relating to freshwater organisms; amending s. 372.65, F.S.; authorizing exemption for freshwater fish dealer's license; amending s. 372.6672, F.S.; defining the term "wild alligator" for purposes of management and trapping; amending s. 403.0885, F.S.; providing exemptions from the state National Pollutant Discharge Elimination System program; amending s. 597.002, F.S.; clarifying jurisdiction over aquaculture activities; amending s. 597.003, F.S.; expanding the powers and duties of the Department of Agriculture and Consumer Services; amending s. 597.004, F.S.; revising provisions relating to aquaculture certificate of registration; providing for providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing severability; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Transportation and Economic Development Appropriations; and Representative Merchant—

HB 4215—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1998, and ending June 30, 1999, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Ways and Means.

RETURNING MESSAGES ON HOUSE BILLS

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment(s) to HB 4201, HB 4203, HB 4205, HB 4207, HB 4209, HB 4211, HB 4213, HB 4215 and HB 4217 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

RETURNING MESSAGES—FINAL ACTION

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2, SB 14 SB 18, SB 20 and SB 348.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 20 was corrected and approved.

CO-SPONSORS

Senators Bronson—SB 1646; Campbell—SB 1906; Forman—SB 392, SB 736; Geller—SB 2250; Grant—SB 1646; Harris—SB 1444; Kirkpatrick—SB 68; McKay—SB 1814; Meadows—SB 1770

RECESS

On motion by Senator Diaz-Balart, the Senate recessed at 3:22 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, April 1.

SENATE PAGES

March 23-27

Christina Bessette, Ormond Beach; Matthew J. (Matt) Birnie, DeLand; Nancy Blommel, Dade City; Philip Jackson Bye, Tallahassee;

Laura Kathryn Cotton, Tallahassee; Eric Eldridge Harrison, Jacksonville Beach; Christine Kretschman, Tallahassee; Melissa L. Kuipers, Largo; Laurel McDaniel, Tallahassee; Ashlea Offutt, Vero Beach; Indrani Parker, Sebastian; Robert Riley, Miami; Kylah Torre, Tallahassee; Misty Winchester, Lakeland