



# Journal of the Senate

Number 9—Regular Session

Wednesday, April 1, 1998

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## CALL TO ORDER

The Senate was called to order by President Jennings at 9:00 a.m. A quorum present—33:

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

## PRAYER

The following prayer was offered by Rev. Alton E. Moore, Jr., Ferry Pass United Methodist Church, Pensacola:

Our Father in heaven, we give thee thanks for life, health and opportunities to serve the needs of others. Let us be reminded once again that we are all brothers and sisters in thy sight.

We give you thanks for our great nation, America. Her liberties and freedom are precious gifts from thee that must be protected. May America ever be a beacon of hope reaching across your world to the oppressed, the poor and the suffering, regardless of race, creed, color, religion or national origin.

We give you thanks, as well, for our great state, Florida—its glittering cities and peaceful towns; its shoreline, lakes, rivers, streams and wetlands; its swaying pines and strong oaks; its birds, fish and animals so beautiful to behold and infinite in variety and value.

We give thee thanks most of all for our citizens valued above all in your creation. Help us to see most importantly that we are here to deal positively with the needs of the unborn, the children, youth, adults and mature adults, infinite in value, and each unique in all creation. Let our love for your people be seen in justice tempered with mercy, knowledge tempered with wisdom. Let our eyes see beyond today even into the next millennium and to generations yet to be born.

We seek to serve thee in response to your word. If we truly serve and love thee, we will do all in our power to meet the needs of the people of

this great state—the need to have safer communities protected by trained peace makers; the need to support teachers and improve our school system until our students and teachers are setting the pace across our great land as an example of a “quality school system” where student, teacher and parents are in unity to raise the standard of education for all to see; the need to improve medical care for all our citizens regardless of economic status.

Let this session under your leadership rise, and in the words of the great missionary William Carey, “Attempt great things for thee and expect great things from thee.” Let the unity of this session spill over into our many communities uniting our citizens, our various churches and faith groups in the desire to do all we can to make life better for our citizens. Help us to see and understand that without a vision, the people perish.

I ask your blessings upon each of your senators and their staff here today. May they truly represent the people. I ask you to bless our governor, Lawton Chiles. Give him a continued clear vision and lead him in his decisions.

Let us now at this very moment be open to your wisdom in all things. Bless this assembly with a clear vision and a genuine unity. Let the words of our mouths and the meditations of our hearts be acceptable in thy sight.

I ask these things in the name of the Creating Father, the Redeeming Son and the Guiding Spirit of God. Amen.

## PLEDGE

Senate Pages Clay Adkinson of De Funiak Springs, Will Elmore of Plantation and Laura Heiselman of Orlando, 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 Williams—

By Senator Williams—

**SR 2098**—A resolution honoring the Florida State University School of Theatre on its 25th Anniversary.

WHEREAS, The FSU School of Theatre is celebrating its 25th anniversary as a discrete academic unit of the Florida State University in 1998, and

WHEREAS, the FSU School of Theatre has been celebrated by U.S. News and World Report and other national organizations as one of the leading theatre-training programs in the United States, and

WHEREAS, the FSU School of Theatre has been designated as the “flagship” theatre-training program in this state by nationally recognized consultants in the arts in higher education, and

WHEREAS, the FSU School of Theatre has educated a long and distinguished list of graduates who have made positive contributions to education and the entertainment industry, nationally and internationally, and

WHEREAS, the FSU School of Theatre has brought to this state internationally celebrated artists and teachers to teach and perform, and

WHEREAS, the FSU School of Theatre established the Asolo State Theatre in Sarasota, one of the leading professional theatres in America, and

WHEREAS, the FSU School of Theatre has provided to its communities in Sarasota and Tallahassee productions of the highest quality for entertainment and enlightenment, NOW, THEREFORE,

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

That the Florida State University School of Theatre is commended on its Silver Anniversary for 25 years of extraordinary contributions to the cultural and educational excellence of this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the Florida State University School of Theatre as a tangible token of the sentiments of the Florida Senate.

—**SR 2098** was introduced, read and adopted by publication.

At the request of Senator Myers—

By Senator Myers—

**SR 2130**—A resolution recognizing RESPECT of Florida for promoting the employment of persons with disabilities.

WHEREAS, it is the policy of the State of Florida to encourage and assist persons with severe disabilities to achieve maximum personal independence through useful, productive, and gainful employment, enhancing their dignity and minimizing their dependence on public support, and

WHEREAS, more than 65 percent of persons with severe disabilities in the State of Florida are unemployed, and

WHEREAS, RESPECT of Florida has provided thousands of jobs for persons with severe disabilities for over 20 years, and

WHEREAS, RESPECT of Florida creates industries that contribute to the economies of local communities in the State of Florida, and

WHEREAS, RESPECT of Florida is nationally recognized as a model program for providing employment for persons with severe disabilities, and

WHEREAS, RESPECT of Florida reduces the dependence of persons with severe disabilities on government support in a cost-effective manner, saving Florida taxpayers approximately \$1 million a year, NOW, THEREFORE,

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

That this legislative body recognizes RESPECT of Florida as a necessary, viable, and valuable means of carrying out the state's policy of promoting gainful employment for Floridians with severe disabilities.

—**SR 2130** was introduced, read and adopted by publication.

At the request of Senator Myers—

By Senator Myers—

**SR 2320**—A resolution recognizing the 50th Anniversary of the Florida Academy of Family Physicians and recognizing May 24, 1998, as Family Physician Day.

WHEREAS, family physicians have a long history of dedication to the health and well being of the residents of this state, and

WHEREAS, the scope of the family physician's practice is not limited by the patient's age or sex or by a particular organ system or disease entity, and

WHEREAS, the goal of the family physician is to provide high-quality, comprehensive, and continuing medical care at reasonable costs, and

WHEREAS, family physicians are filling an increasingly important role in the health care system by providing and coordinating the care of all patients, and

WHEREAS, there is a continuing commitment from the specialty of family practice to upgrade the quality of medical care available for all persons, and

WHEREAS, the Florida Academy of Family Physicians was chartered on May 24, 1948, as a constituent chapter of the American Academy of Family Physicians, to advance and represent the specialty of family practice, and

WHEREAS, the 3,400 members of the Florida Academy of Family Physicians, affiliated with the 85,000-member American Academy, are commemorating 50 years of caring on May 24, 1998, NOW, THEREFORE,

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

That the Florida Academy of Family Physicians is commended on the 50th Anniversary of its founding.

BE IT FURTHER RESOLVED that May 24, 1998, is recognized as Family Physician Day by the Florida Senate.

—**SR 2320** was introduced, read and adopted by publication.

At the request of Senator Bankhead—

By Senator Bankhead—

**SR 2368**—A resolution recognizing April 2, 1998, as International Day in Florida.

WHEREAS, this state's strategic location provides access to the Americas and the rest of the world, which enables the state to foster international relations, and

WHEREAS, the economy of this state generates \$63.7 billion in international trade annually, and

WHEREAS, this state has the potential and capacity to dramatically expand its activities in international relations and commerce, which are essential to economic growth in this state, and

WHEREAS, the development of private and public partnerships is essential to increasing international opportunities for this state, and

WHEREAS, the Department of State, in cooperation with other organizations, has organized a program to emphasize the importance of international activities to this state and to stimulate dialogue among persons in the public and private sectors, NOW, THEREFORE,

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

That the Florida Senate recognizes April 2, 1998, as International Day in Florida.

BE IT FURTHER RESOLVED that the leaders in the public and private sectors are encouraged to aggressively pursue opportunities to expand international commerce, education, and mutual understanding for the benefit of the residents of this state.

—**SR 2368** was introduced, read and adopted by publication.

At the request of Senator Silver—

By Senator Silver—

**SR 2554**—A resolution honoring Howard Lichtman for his accomplishments and contributions.

WHEREAS, Howard Lichtman started Midtown Towing in 1987 with one truck and himself as the driver, and

WHEREAS, Howard Lichtman, by combining hard work with the belief that a person can become anything he wants to be, built Midtown Towing, within 10 years, into one of the largest towing companies in South Florida, with 21 employees and a fleet of 15 trucks, and

WHEREAS, Howard Lichtman and his wife, Lauraine, shared their good fortune and contributed to many charities in South Florida, including the Miami Rescue Mission, Children's Home Society of Florida, Metro Dade M.A.D.D. Program, Biscayne Park Recreation Department, Community Partnership for Homeless Children, South Florida Food Recovery, Mailman Center for Child Development, numerous other social service programs, all police charities, and the Little League, and

WHEREAS, Howard Lichtman believed that charity begins at home and opened his home to homeless and drug-addicted people who he felt he could help, and

WHEREAS, Howard Lichtman served his country honorably in the United States Army during the Vietnam War, ultimately giving his life to injuries suffered from exposure to Agent Orange, and

WHEREAS, Howard Lichtman died in 1997 at the age of 48, NOW, THEREFORE,

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

That the Florida Senate honors Howard Lichtman for the many accomplishments that he achieved in his short life and for all that he gave back to those less fortunate than he.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to his widow, Lauraine, and his mother, Lillian, as a tangible token of the esteem of the Florida Senate.

—**SR 2554** was introduced, read and adopted by publication.

At the request of Senator Silver—

By Senator Silver—

**SR 2622**—A resolution honoring the New World Symphony during its 10th anniversary season.

WHEREAS, the New World Symphony was founded in 1987 by Artistic Director Michael Tilson Thomas to prepare highly gifted graduates of conservatories and music schools for leadership positions in orchestras and ensembles throughout the world, and

WHEREAS, at its home base in Miami Beach, the New World Symphony presents a full season of orchestral, chamber music, new music, and family concerts at the Lincoln Theatre, located in the heart of the eclectic Art Deco District, and

WHEREAS, each season, the New World Symphony reaches out to the community with numerous free performances, including the unique Musical Exchange series that fosters direct communication between musicians and the audience, as well as a Music Mentor program that pairs New World musicians with high school music students for lessons and professional guidance, and

WHEREAS, in addition to performances in this state, the New World Symphony has performed in many of the world's cultural capitals, including New York, London, Paris, Amsterdam, and Vienna, as well as in Argentina, Brazil, Costa Rica, Israel, Japan, and Monaco, and

WHEREAS, the New World Symphony has released seven recordings to date, including the Grammy-Award-nominated "Tangazo," highlighting classical music of Latin America, and

WHEREAS, the success of the New World Symphony is measured by alumni who have gone on to positions with leading orchestras both here and abroad, including the Boston Symphony, the Cleveland Orchestra, the Chicago Symphony, the Los Angeles Philharmonic, and the National Symphony, as well as orchestras in Germany, Hong Kong, and Spain, NOW, THEREFORE,

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

That the Florida Senate commends the New World Symphony for its extraordinary program and for the many contributions it makes to the cultural and musical life of this state.

BE IT FURTHER RESOLVED that copies of this resolution, with the Seal of the Senate affixed, be presented to Michael Tilson Thomas, Artistic Director of the New World Symphony.

—**SR 2622** was introduced, read and adopted by publication.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bankhead, by two-thirds vote **SJR 2140** was withdrawn from the Committees on Judiciary; and Rules and Calendar; and referred to the Committee on Rules and Calendar; and **SB 1860** was also referred to the Committee on Governmental Reform and Oversight.

On motion by Senator Sullivan, by two-thirds vote **CS for SB 314, SJR 542, SB 712, CS for SB 726, SB 782, CS for SB 880, SB 884, SB 1000, CS for SB 1024, CS for SB 1056, CS for SB 1156, CS for SB 1176, CS for SB 1254, CS for SB 1378, CS for SB 1678, CS for SB 1684** and **SB 1896** were withdrawn from the Committee on Ways and Means.

## MOTIONS

On motion by Senator Bankhead, a deadline of 10:00 a.m. Thursday, April 2, was set for filing amendments to Bills on Third Reading to be considered that day.

## CONSIDERATION OF BILLS ON THIRD READING

**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 third time by title.

On motions by Senator Hargrett, **CS for SB 846** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Jones, Kirkpatrick, Meadows, Myers, Silver

**SB 1004**—A bill to be entitled An act relating to rulemaking authority with respect to the regulation of the citrus industry (RAB); 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.

—as amended March 25 was read the third time by title.

On motions by Senator Bronson, **SB 1004** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick, Myers, Silver

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Consideration of **CS for SB 1144** was deferred.

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**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 third time by title.

On motions by Senator Rossin, **CS for SB 1152** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick, Myers, Silver

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**SB 1232**—A bill to be entitled An act relating to rulemaking authority of the Agency for Health Care Administration (RAB); 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.

—as amended March 25 was read the third time by title.

On motions by Senator Brown-Waite, **SB 1232** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—34

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

Rossin	Sullivan	Turner	Williams
Scott	Thomas		

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick, Myers, Silver

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**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 third time by title.

On motions by Senator Latvala, **CS for SB 1332** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick, Myers

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**SB 1334**—A bill to be entitled An act relating to rulemaking authority of the Department of Environmental Protection (RAB); creating s. 403.0623, F.S.; authorizing the adoption of rules on quality-assurance requirements for environmental data submitted to the department; providing an effective date.

—as amended March 25 was read the third time by title.

On motions by Senator Latvala, **SB 1334** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick, Myers

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**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 third time by title.

On motions by Senator Latvala, **SB 1336** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Cowin, Diaz-Balart, Dyer, Gutman, Jones, Kirkpatrick, Myers, Sullivan

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**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 third time by title.

On motions by Senator Holzendorf, **CS for SB 1342** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick

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**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 third time by title.

On motions by Senator Holzendorf, **CS for SB 1346** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

Madam President	Bronson	Burt	Casas
Bankhead	Brown-Waite	Campbell	Childers

Clary	Hargrett	Latvala	Rossin
Cowin	Harris	Laurent	Scott
Crist	Holzendorf	Lee	Silver
Dudley	Horne	McKay	Sullivan
Forman	Jones	Meadows	Thomas
Geller	Klein	Myers	Turner
Grant	Kurth	Ostalkiewicz	Williams

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick

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**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 third time by title.

On motions by Senator Brown-Waite, **SB 1348** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick

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**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.

—as amended March 25 was read the third time by title.

On motions by Senator Williams, **SB 1350** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick

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**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 third time by title.

On motions by Senator Brown-Waite, **CS for SB 1410** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick

**SB 1434**—A bill to be entitled An act relating to rulemaking authority with respect to environmental permitting (RAB); 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 s. 403.813, F.S.; clarifying authority to implement certain exemptions without adoption of rules; providing an effective date.

—as amended March 25 was read the third time by title.

On motions by Senator Latvala, **SB 1434** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Madam President	Clary	Hargrett	Latvala
Bankhead	Cowin	Harris	Laurent
Bronson	Crist	Holzendorf	Lee
Brown-Waite	Dudley	Horne	McKay
Burt	Forman	Jones	Meadows
Casas	Geller	Klein	Myers
Childers	Grant	Kurth	Ostalkiewicz

Rossin	Silver	Thomas	Williams
Scott	Sullivan	Turner	

Nays—None

Vote after roll call:

Yea—Campbell, Diaz-Balart, Dyer, Gutman, Kirkpatrick

**SB 1436**—A bill to be entitled An act relating to rulemaking authority with respect to water treatment facilities (RAB); creating s. 403.88, F.S.; directing the Department of Environmental Protection to classify water and wastewater treatment facilities and staffing requirements by rule; providing an effective date.

—as amended March 25 was read the third time by title.

On motions by Senator Latvala, **SB 1436** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick, Klein

**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; 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.

—as amended March 25 was read the third time by title.

On motions by Senator Latvala, **SB 1438** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Gutman, Kirkpatrick, Rossin

Consideration of **SB 1700** and **CS for SB 1702** was deferred.

**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 third time by title.

On motions by Senator Rossin, **CS for SB 1706** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Gutman, Kirkpatrick

**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 third time by title.

On motions by Senator Dyer, **SB 1700** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Gutman, Kirkpatrick, Meadows

**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 third time by title.

On motions by Senator Dyer, **CS for SB 1702** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Gutman, Kirkpatrick

Consideration of **CS for SB 1714** was deferred.

**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 in-

clusion of construction and design requirements in rules; amending s. 397.321, F.S.; authorizing the Department of Children and Family Services to develop standards for employee assistance programs; 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.

—as amended March 25 was read the third time by title.

On motions by Senator Rossin, **SB 1720** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Gutman, Kirkpatrick, Kurth

**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.

—as amended March 25 was read the third time by title.

On motions by Senator Rossin, **SB 1762** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Gutman, Kirkpatrick

**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 third time by title.

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

**Amendment 1**—On page 2, delete line 15

On motions by Senator Burt, **CS for SB 1714** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Gutman, Kirkpatrick, McKay

**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; providing for the dismissal of a complaint; 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.

—as amended March 25 was read the third time by title.

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

**Amendment 1**—On page 4, line 3, delete “*plan*” and insert: *collective bargaining agreement*

On motions by Senator Brown-Waite, **SB 142** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Forman, Kirkpatrick

**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 third time by title.

On motions by Senator Holzendorf, **SB 1316** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick, Williams

On motion by Senator Silver, by two-thirds vote **HB 1083** was withdrawn from the Committees on Judiciary; and Commerce and Economic Opportunities.

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

**HB 1083**—A bill to be entitled An act relating to 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 inapplicability 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, and 679.312, F.S., to conform; amending ss. 671.105, 671.206, 674.104, and 675.114, F.S., to conform; providing for applicability; repealing ss. 610.011, 610.021, 610.031, 610.041, 610.051, 610.061, 610.071, 610.081, 610.091, 610.101, 610.111, and 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, and 678.408, F.S., relating to investment securities under the Uniform Commercial Code; revising provisions of chapter 680, F.S., relating to leases under the Uniform Commercial Code; amending s. 680.1031, F.S.; redefining the terms "consumer lease" and "finance lease"; amending s. 680.1041, F.S.; revising language with respect to other statutes to which leases are subject; amending s. 680.303, F.S.; revising language 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 language with respect to the subsequent lease of goods by the lessor; amending s. 680.307, F.S.; revising language 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 language 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 language with respect to the procedure governing default; amending s. 680.503, F.S.; revising language with respect to modification or impairment of rights and remedies; amending s. 680.507, F.S.; revising language with respect to proof of market rent; amending s. 680.508, F.S.; revising language with respect to lessee's remedies; amending s. 680.516, F.S.; revising language 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 language with respect to cover and substitute goods; amending s. 680.519, F.S.; revising language 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 language with respect to lessor's remedies; amending s. 680.524, F.S.; revising language with respect to lessor's right to identify goods to lease contract; amending s. 680.525, F.S.; revising language with respect to lessor's right to possession of goods; amending s. 680.527, F.S.; revising language with respect to lessor's rights to dispose of goods; amending s. 680.528, F.S.; revising language with respect to lessor's damages for nonacceptance or repudiation; amending s. 680.529, F.S.; revising language with respect to lessor's action for rent; amending s. 680.532, F.S.; revising language with respect to lessor recovery for loss of residual interest; providing for the application of the act; repealing s. 679.111, F.S., relating to applicability of bulk transfer laws; providing an effective date.

—a companion measure, was substituted for **CS for SB 644** and by two-thirds vote read the second time by title. On motions by Senator Silver, by two-thirds vote **HB 1083** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Dyer, Kirkpatrick

**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; 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.; renaming the Juvenile Justice Advisory Board; 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.

—as amended March 25 was read the third time by title.

On motions by Senator Grant, **CS for SB 1574** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

On motion 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 Leg-~~

~~islative 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 not 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.

—was read the second time in full. On motions by Senator Grant, **SCR 2536** was adopted and immediately certified to the House. The vote on adoption was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Geller, Kirkpatrick

On motion by Senator Gutman, by two-thirds vote **CS for HB 1727** was withdrawn from the Committees on Criminal Justice; and Ways and Means.

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

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

—a companion measure, was substituted for **SB 106** as amended and read the second time by title.

Senator Gutman moved the following amendment which was adopted:

**Amendment 1**—On page 1, line 22, after the second comma (,) insert: *while the code inspector is engaged in the lawful performance of his or her duties and*

On motions by Senator Gutman, by two-thirds vote **CS for HB 1727** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**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.

—as amended March 25 was read the third time by title.

On motions by Senator Gutman, **CS for SB 1144** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Ostalkiewicz	Scott	Sullivan	Turner
Rossin	Silver	Thomas	Williams

Nays—None

Vote after roll call:

Yea—McKay, Meadows

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**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.

—as amended March 25 was read the third time by title.

On motions by Senator Gutman, **SB 444** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—McKay, Meadows

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**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 third time by title.

On motions by Senator Silver, **CS for SB 586** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Madam President	Childers	Forman	Horne
Bankhead	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

Lee	Myers	Scott	Thomas
McKay	Ostalkiewicz	Silver	Turner
Meadows	Rossin	Sullivan	Williams

Nays—None

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**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 third time by title.

On motions by Senator Campbell, **SB 526** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

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**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 third time by title.

On motions by Senator Brown-Waite, **CS for SB 276** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Grant

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**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 third time by title.

On motions by Senator Klein, **SB 480** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Madam President	Crist	Holzendorf	Myers
Bankhead	Diaz-Balart	Horne	Ostalkiewicz
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	Meadows	

Nays—None

Vote after roll call:

Yea—McKay

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**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 third time by title.

On motions by Senator Campbell, **CS for SB 930** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Hargrett

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Consideration of **CS for SB 156** as amended was deferred.

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**SB 766**—A bill to be entitled An act relating to insurance; creating s. 626.2816, F.S.; requiring continuing education 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; 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; providing an effective date.

—as amended March 25 was read the third time by title.

On motions by Senator Diaz-Balart, **SB 766** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

## SPECIAL ORDER CALENDAR

On motion by Senator Clary—

**CS for SB 650**—A bill to be entitled An act relating to Medicaid; amending s. 409.906, F.S.; authorizing the Agency for Health Care Administration to pay for certain types of services for the Healthy Start program, pursuant to a federal waiver; providing for certain limits on such services; directing the agency to seek such a waiver; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 650** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Holzendorf—

**CS for CS for SB 182 and SB 1042**—A bill to be entitled An act relating to early education and child care; creating the School Readiness Commission to serve as an advisory body to the State Board of Education and other state agencies on matters that relate to school readiness; providing for the commission to be assigned to the Executive Office of the Governor for administrative purposes; providing for the Governor to appoint the members of the commission; providing for the members to be approved by the State Board of Education and confirmed by the Senate; requiring the commission to appoint an executive director; providing for payment of per diem and travel expenses of commission members; establishing duties of the commission; requiring the commission to prepare a system for measuring school readiness; specifying objectives to be measured by such system; requiring the commission to contract with an independent entity to evaluate the measurement system; requiring the commission to make recommendations to the Governor and the State Board of Education; authorizing the commission to adopt rules; establishing a School Readiness Coordinating Council; creating s. 402.265, F.S.; providing legislative intent; establishing the early education and child care program and providing for optional participation; providing for the council to be assigned to the Executive Office of the Governor for administrative purposes; providing for oversight; providing eligibility for participation in the program; providing performance standards and outcome measures; providing for School Readiness Coalitions; providing for implementation of programs; requiring development of a plan and providing program requirements; requiring a sliding fee scale; providing for funding; requiring a reimbursement rate schedule; providing requirements relating to fiscal agents; providing for parental choice and for payment arrangements; providing for evaluation and reporting; providing that federal requirements control in the case of conflict; exempting family child care providers from increased standards; repealing s. 411.222(4), F.S., relating to the State Coordinating Council for Early Childhood Services; providing an effective date.

—was read the second time by title.

The Committee on Ways and Means recommended the following amendment which was moved by Senator Kirkpatrick:

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

**Section 1. School Readiness Commission.—**

(1) *The School Readiness Commission is established and assigned to the Executive Office of the Governor for administrative purposes. The commission shall carry out the duties and responsibilities provided in this section and delegated by the State Board of Education and is not subject to control, supervision, or direction by the Executive Office of the Governor or the State Board of Education. The commission shall serve as an advisory body to the State Board of Education and other appropriate state agencies and entities on all matters relating to achievement of the first state education goal, readiness to start school. In addition, the commission's reports and recommendations shall be made available to the Governor, the Legislature, the State Board of Education, other appropriate state agencies and entities, district school boards, central agencies for child care, and county public health units.*

(2) *The commission shall be composed of 12 members of the public who shall be business, community, and civic leaders in the state who are not elected to public office and who do not earn their income in the early education and child care industry. Each member shall be appointed by the Governor. Eight of the members shall be appointed from a list of 12 nominees, of which six must be submitted by the President of the Senate and six must be submitted by the Speaker of the House of Representatives. Members shall be appointed to 4-year terms of office. However, of the initial appointees, three shall be appointed to 1-year terms, three shall be appointed to 2-year terms, three shall be appointed to 3-year terms, and three shall be appointed to 4-year terms. The members of the commission shall elect a chairperson annually. Any vacancy on the commission shall be filled in the same manner as the original appointment.*

(3) *The commission shall meet as often as it deems necessary to carry out its duties and responsibilities.*

(4) *The commission shall appoint an executive director to serve at its pleasure, who shall perform the duties assigned to him or her by the commission. The executive director shall be the chief administrative officer of the commission and shall be responsible for appointing all employees and staff members of the commission, who shall serve under his or her direction and control.*

(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 section 112.061, Florida Statutes.*

(6) *The commission shall:*

(a) *Serve as a citizen board to coordinate the efforts toward school readiness in this state and provide independent policy analyses and recommendations to the Governor, the State Board of Education, and the Legislature.*

(b) *Prepare and submit to the State Board of Education a system for measuring school readiness. The system must include a screening instrument, or instruments, which shall provide objective data regarding the following expectations for school readiness:*

1. *The child's immunizations and other health requirements as necessary.*
2. *The child's display of physical development appropriate for kindergarten.*
3. *The child's compliance with rules, limitations, and routines.*
4. *The child's successful engagement in kindergarten tasks.*
5. *The child's demonstration of appropriate interactions with adults.*
6. *The child's demonstration of appropriate interactions with peers.*
7. *The child's effective coping with challenges and frustrations.*
8. *The child's demonstration of appropriate self-help skills.*
9. *The child's ability to express his needs appropriately.*

10. *The child's demonstration of verbal communication skills necessary to succeed in kindergarten.*

11. *The child's demonstration of problem-solving skills necessary to succeed in kindergarten.*

12. *The child's following of verbal directions.*

13. *The child's demonstration of curiosity, persistence, and exploratory behavior.*

14. *The child's demonstration of an interest in books and other printed materials.*

15. *The child's paying attention to stories.*

16. *The child's participation in art and music activities.*

(c) *Prepare a plan for implementing the system for measuring school readiness in such a way that all children in this state have the opportunity to undergo the screening in the year prior to their entry into kindergarten. The plan must include a way to make the screening instrument and the training required to administer it available to public and private providers of preschool and child care programs, and a way to make the screening available to children who do not participate in such programs.*

(d) *Establish a method for collecting data from the screening instrument and establish guidelines for using the data so that the measurement, the data collection, and the use of the data serve the statewide goal that all children will be ready for school. The criteria for determining which data to collect should be the usefulness of the data to state policymakers and program administrators in administering programs and allocating state funds.*

(e) *Contract with an independent entity for an evaluation of the measurement system. The evaluation must provide the information that local and state agencies, the Governor, and the Legislature need to provide for the effective administration of programs that serve preschool children. The evaluation must provide information that will assist providers of private preschool and child care programs in assessing the success of preschool and child care programs and making decisions about improving program services to prepare children for school.*

(f) *Recommend to the Governor, the Commissioner of Education, and the State Board of Education rules, and revisions or repeal of rules, which would increase the effectiveness of programs that prepare children for school.*

(g) *Conduct studies and planning activities related to the overall improvement and effectiveness of school-readiness measures.*

(h) *Submit an annual report of its activities to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the minority leaders of both houses of the Legislature.*

*To ensure that the system for measuring school readiness is comprehensive and appropriate statewide, as the system is developed and implemented, the commission must consult with representatives of district school systems, providers of public and private child care, health care providers, large and small employers, experts in education for children with disabilities, and experts in child development.*

(7) *The commission may adopt rules necessary to administer the provisions of this section relating to preparation and implementation of the system for school readiness, data collection, approving local coalition plans, providing a method whereby a coalition could serve two or more counties, awarding incentives to coalitions, and contracting for an evaluation.*

**Section 2. School Readiness Coordinating Council.—**

(1) *The School Readiness Coordinating Council is established with responsibility for advising the School Readiness Commission regarding policies facilitating local implementation, providing technical assistance, and helping to secure waivers. The School Readiness Coordinating Council shall consist of:*

(a) *The Deputy Commissioner of Education Programs in the Department of Education;*

(b) *The Secretary of Children and Family Services or a designated division director;*

(c) *The Secretary of Health or a designated division director;*

(d) *The Chair of the Child Care Partnership Board;*

(e) *The Executive Director of the State WAGES Board;*

(f) *The President of the Florida Pediatric Society;*

(g) *The Chair of the Florida Council of 100;*

(h) *The President of the Head Start Directors' Association;*

(i) *The President of the Florida Children's Forum;*

(j) *The Chair of the Developmental Disabilities Council;*

(k) *The Director of the Healthy Start Coalition Association;*

(l) *The President of the Florida School Boards Association;*

(m) *The Chair of the Florida Association of Family Child Care Homes;*

(n) *The Chair of a School Readiness Coalition;*

(o) *The President of the Florida Association of Child Care Management;*

(p) *The Executive Director of the Early Childhood Association;*

(q) *The Chair of the Florida Interagency Coordinating Council for Infants and Toddlers;*

(r) *The Coordinator of the Florida Parent Resource Organization;*

(s) *A representative of the Family Network on Disabilities of Florida;*

(t) *The President of the Children's Services Council Association of Florida;*

(u) *The Director of the Agency for Health Care Administration;*

(v) *The President of the State of Florida P.T.A.; and*

(w) *An additional five members representing the private-sector business community. These five members must be selected by a majority vote of the other members.*

*The School Readiness Coordinating Council shall select a chair from among the business community and a vice chair.*

(2) *School Readiness Coordinating Council members are entitled to receive per diem and expenses for travel, as provided in section 112.061, Florida Statutes, while carrying out the official business of the council. For administrative purposes only, the council shall be assigned to the Office of the Governor.*

(3) *The School Readiness Coordinating Council shall meet and conduct business at least quarterly or as needed to carry out the duties of the council.*

(4) *The School Readiness Coordinating Council shall be staffed by the Office of the Governor and draw upon state agency personnel and resources as needed to implement policy necessary to facilitate the early education and child care program.*

(5) *Quarterly meetings of the School Readiness Coordinating Council shall be open to the public and opportunity for public comment shall be made available at each such meeting. The staff of the School Readiness Coordinating Council shall notify all persons who request such notice as to the date, time, and place of each quarterly meeting.*

Section 3. Section 402.265, Florida Statutes, is created to read:

402.265 *Early education and child care program.—*

(1) *LEGISLATIVE INTENT.—*

(a) *The Legislature recognizes that high-quality early education and child care programs increase children's chances of achieving future educational success and becoming productive members of society. It is the intent of the Legislature that such programs be developmental, serve as preventive measures for children at risk of future school failure, enhance the educational readiness of all children, and support family education and the involvement of parents in their child's educational progress. Each early education and child care program shall provide the elements necessary to help prepare preschool children for school, including health screening and referral, a developmentally appropriate educational program, and opportunities for parental involvement in the program.*

(b) *It is legislative intent that all programs and services for Florida children in the first 5 years of life, including health care, child care, child welfare, and formal education, are school readiness programs.*

(c) *It is legislative intent that early education and child care programs be operated within funding limits on a full-day, year-round basis to enable parents to work and become financially self-sufficient.*

(d) *It is legislative intent that early education and child care programs not exist as isolated programs, but build upon existing services and work in cooperation with other programs for young children, and that these programs and program funds be coordinated to achieve full effectiveness.*

(e) *It is legislative intent that the implementation of an early education and child care program be optional on a county-by-county basis.*

(f) *Publicly funded early education and child care programs are defined as prekindergarten early intervention programs, Head Start programs, programs offered by public or private providers of child care, preschool programs for children with disabilities, programs for migrant children, Title I programs, subsidized child care programs, teen parent programs, and other services.*

(2) *CREATION OF OPTIONAL PROGRAM; EXEMPTIONS.—The early education and child care program consisting of publicly funded programs listed in paragraph (1)(f) is established. The early education and child care program is an optional program.*

(3) *PROGRAM ELIGIBILITY.—The early education and child care program shall be established for children from birth to 6 years of age. The program shall consist of the programs listed in paragraph (1)(f), be administered by the School Readiness Coalition, and receive funds pursuant to SB 180 or similar legislation. Within funding limitations, the School Readiness Coalition, along with all providers, shall make reasonable efforts to accommodate the needs of children for extended-day and extended-year services without compromising the quality of the program.*

(4) *STANDARDS; OUTCOME MEASURES.—*

(a) *All publicly funded early education and child care programs must meet the following performance standards and outcome measures developed by the Department of Education and the Department of Children and Family Services:*

1. *They must help prepare preschool children to enter kindergarten ready to learn, as measured by criteria established by the School Readiness Commission or, in the absence of such criteria, by the School Readiness Checklist of the Department of Education.*

2. *They must provide extended-day and extended-year services to the maximum extent possible.*

3. *There must be coordinated staff development and teaching opportunities.*

4. *There must be expanded access to community services and resources for families to help achieve economic self-sufficiency.*

5. *There must be a single point of entry and unified waiting list.*

6. *If funding remains constant, they must serve at least as many children as were served prior to implementation of the program.*

(b) *All participating publicly funded early education and child care programs must implement a comprehensive program of children and family services that enhance the cognitive and physical development of*

children to achieve the performance standards and outcome measures specified in paragraph (a). At a minimum, these programs must contain the following elements:

1. Developmentally appropriate curriculum.
2. An appropriate staff-to-child ratio, as required by the respective participating programs.
3. A healthy and safe environment.
4. A resource and referral network to assist parents in making an informed choice pursuant to s. 402.27.

(5) *SCHOOL READINESS COALITIONS.*—

(a)1. Each School Readiness Coalition must consist of at least 12 members. Four members shall be appointed by the district school board, four members shall be appointed by the county commission for the county in which participating schools are located, and four members shall be appointed by the Department of Children and Family Services district administrator. If a coalition has more than 12 members, the additional members shall be appointed equally by the three appointing entities.

2. School Readiness Coalition membership shall include, in addition to private-sector business leaders, the local public and private leaders in health care, education, disabilities, and child welfare systems in each county. Three members of the coalition must be administrators from each of the following entities: The central agency for child care, the district school board, and the Head Start program. School Readiness Coalition membership must include representatives from programs serving children in the early education and child care programs, must include a representative from the Department of Health, and may include representatives from organizations such as Children's Services Councils, Central Agencies for Child Care, Healthy Start Coalitions, district school boards, child care licensing boards, local WAGES Coalitions, Head Start, municipal and county governments, the Department of Children and Family Services, the County Public Health Unit, and chambers of commerce. A minimum of five coalition members shall be from the private sector.

(b) The School Readiness Coalition will replace the district interagency coordinating council in any county where an early education and child care program is implemented.

(6) *IMPLEMENTATION.*—

(a) The early education and child care program may be implemented in any county by a School Readiness Coalition with agreement of the district school board and the Department of Children and Family Services district, and with approval of the School Readiness Commission. Approval by the School Readiness Commission must be predicated on the submission of a plan of implementation prepared and submitted by the School Readiness Coalition.

(b) Each School Readiness Coalition shall develop a plan for implementing the early education and child care program to meet the requirements of this section. The plan shall include a written description of the role of the program in the district's effort to meet the first state education goal, readiness to start school, including a description of the plan to involve prekindergarten early intervention programs, Head Start programs, programs offered by public or private providers of child care, preschool programs for children with disabilities, programs for migrant children, Title I programs, subsidized child care programs, and teen parent programs. The plan shall also demonstrate how the program will ensure that each 3-year-old and 4-year-old child in a publicly funded early education and child care program receives scheduled activities and instruction designed to prepare children to enter kindergarten ready to learn. Prior to implementation of the program, the School Readiness Coalition must submit the plan to the School Readiness Commission for approval. The plan shall be reviewed and revised as necessary, but not less than every 3 years.

(c) The plan for the early education and child care program shall include the following minimum standards and provisions:

1. A sliding fee scale, which is the same for all programs, to be implemented and reflected in each program's budget.
2. A choice of settings and locations in licensed, registered, religious exempt, or school-based programs to be provided to parents.

3. Instructional staff who have completed the training course as required in s. 402.305(2)(d)1., as well as staff who have additional training or credentials as required by the respective programs.

(d) Persons with an early childhood teaching certificate may provide support and supervision to other staff in the early education and child care program.

(7) *REIMBURSEMENT RATE.*—The School Readiness Coalition shall develop a reimbursement rate schedule that encompasses all publicly funded early education and child care programs and complies with applicable state and federal laws and regulations. The reimbursement rate schedule must include the projected number of children to be served and must be submitted to the School Readiness Commission for approval. Informal child care arrangements shall be reimbursed at not more than 50 percent of the rate developed for family child care.

(8) *REQUIREMENTS RELATING TO FISCAL AGENTS.*—The fiscal agent must be a public entity or a private nonprofit organization. The fiscal agent shall be required to provide all administrative and direct funding services as determined by the School Readiness Coalition. The cost of these services shall be negotiated between the fiscal agent and the School Readiness Coalition. The fiscal agent shall be responsible for monitoring all providers to ensure that coalition funds are expended in the manner and for the purpose required by the funding source. Funds from the Early Education and Child Care Trust Fund may not be paid to a provider unless the provider agrees to allow the fiscal agent access to fulfill its monitoring responsibilities.

(9)(a) *PARENTAL CHOICE; PAYMENT ARRANGEMENT.*—The early education and child care program shall be provided in a manner that ensures, to the maximum extent possible, parental choice through flexibility in early education and child care arrangements and payment arrangements, including, but not limited to, voucher, contract, and direct service provision. According to federal regulations requiring parental choice, a parent may choose an informal child care arrangement.

(b) When a voucher is provided, each voucher must bear the name of the beneficiary and the program provider and, when redeemed, must bear the signature of both the beneficiary and an authorized representative of the provider. If it is determined that a provider has provided any cash to the beneficiary in return for receiving the voucher, the local coalition shall refer the matter to the Division of Public Assistance Fraud of the the Office of the Auditor General for investigation and shall notify the agency responsible for the funding source.

(c) The Department of Children and Family Services in consultation with the office of the Comptroller shall establish an electronic disbursement system for the dissemination of funds and vouchers in accordance with this subsection. Fiscal agents shall fully implement the electronic funds transfer system within 3 years after plan approval unless a waiver is obtained from the School Readiness Commission. The fiscal agent may charge an administrative fee not to exceed 1.5 percent of each voucher to offset administrative costs of the early education and child care program.

(10) *EVALUATION AND ANNUAL REPORT.*—Each School Readiness Coalition shall conduct an evaluation of the effectiveness of the early education and child care program, including performance standards and outcome measures, and shall provide an annual report and fiscal statement to the School Readiness Commission, the Governor, and the President of the Senate and the Speaker of the House of Representatives for review by the Legislature. This report must conform to the content and format specifications set by the School Readiness Commission.

(11) *CONFLICTING PROVISIONS.*—In the event of a conflict between the provisions of this section and federal requirements, the federal requirements shall control.

Section 4. Nothing in this act shall have the effect of increasing the standards that must be met by family child care providers; however, children who receive child care services from family child care providers will participate in school readiness assessment upon entering public or private kindergarten or the first grade.

Section 5. Effective July 1, 1998, subsection (4) of section 411.222, Florida Statutes, is repealed.

Section 6. Except as otherwise expressly provided in this act, 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 early education and child care; creating the School Readiness Commission to serve as an advisory body to the State Board of Education and other state agencies on matters that relate to school readiness; providing for the commission to be assigned to the Executive Office of the Governor for administrative purposes; providing for the Governor to appoint the members of the commission; requiring the commission to appoint an executive director; providing for payment of per diem and travel expenses of commission members; establishing duties of the commission; requiring the commission to prepare a system for measuring school readiness; specifying objectives to be measured by such system; requiring the commission to contract with an independent entity to evaluate the measurement system; requiring the commission to make recommendations to the Governor and the State Board of Education; authorizing the commission to adopt rules; establishing a School Readiness Coordinating Council; creating s. 402.265, F.S.; providing legislative intent; establishing the early education and child care program and providing for optional participation; providing for the council to be assigned to the Executive Office of the Governor for administrative purposes; providing for oversight; providing performance standards and outcome measures; providing for School Readiness Coalitions; providing for implementation of programs; requiring development of a plan and providing program requirements; requiring a sliding fee scale; providing for funding; requiring a reimbursement rate schedule; providing requirements relating to fiscal agents; providing for parental choice and for payment arrangements; providing for evaluation and reporting; providing that federal requirements control in the case of conflict; exempting family child care providers from increased standards; repealing s. 411.222(4), F.S., relating to the State Coordinating Council for Early Childhood Services; providing an effective date.

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

**Amendment 1A**—On page 2, line 8 and on page 7, line 17, after the first period (.) insert: *The members must be geographically and demographically representative of the state.*

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

**Amendment 1B**—On page 4, line 19, after the period (.) insert: *Because children with disabilities may not be able to meet all of the identified expectations for school readiness, the plan for measuring school readiness shall incorporate mechanisms for recognizing the potential variations in expectations for school readiness when serving children with disabilities and shall provide for communities to serve children with disabilities.*

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

**Amendment 1C**—On page 7, line 14, insert:

(v) *The President of the Florida Association for Child Development Education;*

Senator Clary moved the following amendments to **Amendment 1** which were adopted:

**Amendment 1D**—On page 7, delete line 14 and insert:

(w) *An individual certified in this state to teach children of pre-kindergarten age.*

(x) *An additional five members representing the*

**Amendment 1E**—On page 7, lines 14 and 16, delete “five” and insert: *four*

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

**Amendment 1F**—On page 14, line 16 through page 15, line 9, delete those lines and insert: *arrangements and payment arrangements. Payment arrangements must be in accordance with all federal and state laws that govern the respective participating programs.*

**Amendment 1** as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for SB 182 and SB 1042** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Kirkpatrick—

**CS for SB 180**—A bill to be entitled An act relating to trust funds; creating the Early Education and Child Care Trust Fund within the Executive Office of the Governor; providing for sources of moneys and purposes; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was read the second time by title.

The Committee on Ways and Means recommended the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 1**—Delete everything after the enacting clause and insert:

Section 1. *The Early Education and Child Care Trust Fund is created in the State Treasury, to be administered by the Executive Office of the Governor. Funds shall be credited to the trust fund as provided in SB 182 or similar legislation, to be used for the purposes set forth therein.*

Section 2. *Funding; Early Education and Child Care Trust Fund.—*

(1) *The intent of the Early Education and Child Care Trust Fund is to ensure a seamless service delivery system for all publicly funded early education and child care programs operating in this state.*

(2) *Funds budgeted for a district school board for the prekindergarten early intervention program, the subsidized child care program, and other state or locally funded education and care programs for preschool children may be transferred to the Early Education and Child Care Trust Fund for implementation of the early education and child care program in a given county. Additional funds, including state-appropriated incentive funds, may be placed in the trust fund for purposes of this section.*

(3) *All funds transferred to and retained in the trust fund shall be invested pursuant to section 18.125, Florida Statutes. Any interest accruing to the trust fund shall be for the benefit of counties providing an early education and child care program. Notwithstanding section 216.301, Florida Statutes, and pursuant to section 216.351, Florida Statutes, any undisbursed balance remaining in the trust fund and interest accruing to the trust fund not distributed at the end of the fiscal year shall remain in the trust fund and shall increase the total funds available for the counties implementing an early education and child care program.*

(4) *The School Readiness Commission shall annually distribute to the fiscal agent for each School Readiness Coalition the funds that were transferred into the Early Education and Child Care Trust Fund for the benefit of that coalition. Additional funds and investment income from the trust fund shall be distributed to the counties implementing an early education and child care program based on achievement of performance outcomes or need, or a combination thereof. The School Readiness Commission shall provide incentives to coalitions that serve more children in the early education and child care program than participating programs were required to serve in the previous year, if levels of program funding did not decrease during the year.*

(5) *State funds appropriated for the early education and child care program may not be used for the construction of new facilities, the transportation of students, or the purchase of buses, but may be used for educational field trips that enhance the curriculum.*

Section 3. *It is the intent of the Legislature that section 2 be compiled into section 402.265, Florida Statutes.*

Section 4. *Pursuant to the provisions of section 19(f)(2), Article III of the State Constitution, the Early Education and Child Care Trust Fund shall, unless terminated sooner, be terminated on July 1, 2002. Prior to its scheduled termination, the trust fund shall be reviewed as provided in section 215.3206(1) and (2), Florida Statutes.*

Section 5. This act shall take effect July 1, 1998, if SB 182 or similar legislation is adopted in the same legislative session or an extension thereof.

Pursuant to Rule 4.19, **CS for SB 180** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Sullivan—

**CS for SB 706**—A bill to be entitled An act relating to education; amending s. 232.246, F.S.; revising provisions relating to high school graduation credit requirements; providing for early graduation; amending s. 236.081, F.S., relating to funds for operation of schools; providing for calculation of full-time-equivalent student membership for students who graduate early; providing an effective date.

—was read the second time by title.

Senator Sullivan moved the following amendments which were adopted:

**Amendment 1**—On page 1, line 29, after the period (.) insert: *A student who graduates early with 24 credits must be at least 16 years old.*

**Amendment 2**—On page 5, lines 15-22, delete those lines and insert:

(c) *Subject to the provisions of subsection (1), district school boards are authorized and encouraged to establish requirements for high school graduation in excess of the minimum requirements by increasing the required academic courses set forth in subsection (1)(a) through (j) and decreasing the number of elective credits proportionately, and by increasing the minimum grade point average requirement; however, an increase in required courses academic credit or minimum grade point average requirements shall not apply to those students enrolled in grades 9 through 12 at the time the district school board increases the requirements. This paragraph does not preclude district school boards from establishing academic credit requirements in excess of 24 credits for academy, magnet, or other special courses of study programs which students may voluntarily enter and agree to the excess requirements.*

Pursuant to Rule 4.19, **CS for SB 706** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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

**CS for SB 536**—A bill to be entitled An act relating to education; amending ss. 239.117, 239.301, 240.117, 240.235, 240.35, F.S.; increasing the number of times state funding will support a student enrolled in the same college-preparatory class within a skill area; revising certain funding amounts; providing a fee exemption for certain postsecondary students; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 536** was placed on the calendar of Bills on Third Reading.

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

**CS for CS for SB 1996 and CS for SB 1182**—A bill to be entitled An act relating to charter schools; amending s. 228.056, F.S.; providing for recognition as public schools; revising requirements relating to proposals; providing for appeal of disputes and requiring mediation services; revising limitations on the number of schools; revising provisions relating to eligible students; providing for operation by a nonprofit organization; deleting certain restrictions on holding charter contracts; revising provisions relating to charter terms; providing for public employee status; providing requirements relating to employees; revising requirements relating to student transportation; revising administrative fee provisions and requiring certain administrative and educational services; revising provisions relating to charter school use of certain facilities or property; providing for certain purchasing; authorizing charter schools-in-the-workplace; providing requirements and tax exemption; creating s. 228.0561, F.S.; providing for the distribution of funds

from the Charter Schools Capital Outlay Trust Fund; providing eligibility requirements; providing for the recovery of funds; providing duties of the Commissioner of Education; authorizing the use of funds for certain capital outlay purposes of charter schools; requiring a legislative budget request for appropriations from the Charter Schools Capital Outlay Trust Fund; providing effective dates.

—was read the second time by title.

Senator Holzendorf moved the following amendments which were adopted:

**Amendment 1**—On page 2, line 17, after “education.” insert: *On July 1, 2000, all public schools in this state shall become charter schools and shall operate under the rules governing charter schools.*

**Amendment 2**—On page 6, lines 1-3, delete those lines and insert:

(h) ~~No organization shall hold more than one elementary, one middle, and one high school charter contract in a school district and no more than 15 charters statewide.~~

#### MOTIONS

On motion by Senator Bankhead, the rules were waived to extend time of recess until 11:45 a.m.; and by two-thirds vote debate on remaining amendments was limited to five minutes per side for a total of ten minutes per amendment.

Senator Campbell moved the following amendment which failed:

**Amendment 3**—On page 12, between lines 15 and 16, insert:

(c) *All teachers who are employed by charter schools have the right to collective bargaining.*

#### RECONSIDERATION OF AMENDMENT

On motion by Senator Holzendorf, the Senate reconsidered the vote by which **Amendment 1** was adopted. **Amendment 1** was withdrawn.

#### MOTIONS

On motion by Senator Bankhead, the rules were waived to extend time of recess; and by two-thirds vote debate on **Amendment 4** was limited to five minutes per side for a total of ten minutes.

Senators Holzendorf, Campbell, Forman, Geller, Hargrett, Klein, Kurth, Meadows and Turner offered the following amendment which was moved by Senator Geller and failed:

**Amendment 4 (with title amendment)**—On page 3, line 28 through page 4, line 18, delete those lines

And the title is amended as follows:

On page 1, lines 6 and 7, delete those lines and insert: *and requiring mediation services; revising*

Pursuant to Rule 4.19, **CS for CS for SB 1996 and CS for SB 1182** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

#### MOTION

On motion by Senator Bankhead, by two-thirds vote all bills remaining on the Special Order Calendar this day were established as the Special Order Calendar for Thursday, April 2.

#### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following Special and Continuing Order Calendar for Wednesday, April 1, and Thursday, April 2, 1998: CS for SB 650, CS for CS for SB 182 and SB 1042, CS for SB 180, CS for SB 706, CS for SB 536, CS for CS for SB 1996 and CS for SB 1882, CS for SB 1184, CS for SB 216, CS for SB 822, CS for SB 1132, SB 1268, SB 240, CS for SB 1402, CS for SB 1716, CS for SB 1708, SB 146, CS for SB 482, SB 370, SB 472, SB 170, CS for SB 290, SB 1898,

CS for SB 1372, SB 594, SB 1260, CS for SB 118, SB 116, CS for SB 110, CS for SB 406, SB 136, SB 222, CS for SB 176, SB 304, CS for SB 476, CS for SB 466, SB 200, CS for SB 114, SB 108, CS for SB 776, SB 928, CS for CS for SB 1046, SB 496, SB 166, CS for SB 382, CS for SB 492, CS for SB 812, SB 1058, CS for CS for SB 626, CS for SB 818, SB 1292, SB 982, SB 708, CS for SB 154, SB 892, SB 668, CS for SB 508, SB 830, SB 560, SB 540, CS for SB 178

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

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The Committee on Banking and Insurance recommends the following pass: SB 2122 with 2 amendments

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

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The Committee on Agriculture recommends the following pass: SB 1066 with 1 amendment

**The bill was referred to the Committee on Regulated Industries under the original reference.**

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The Committee on Ways and Means recommends the following pass: CS for SB 824

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

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The Committee on Children, Families and Seniors recommends the following pass: SB 660 with 1 amendment

The Committee on Commerce and Economic Opportunities recommends the following pass: CS for SB 1460

The Committee on Criminal Justice recommends the following pass: SB 948, SB 2162

The Committee on Governmental Reform and Oversight recommends the following pass: CS for SB's 1358 and 160 with 2 amendments, CS for SB 1378

The Committee on Transportation recommends the following pass: SB 282 with 1 amendment, SB 790, SB 854, SB 1266, SB 1306, SB 2242

**The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.**

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The Committee on Education recommends the following pass: SB 2314

The Committee on Ways and Means recommends the following pass: CS for SB 180 with 1 amendment, CS for CS for SB 182 and SB 1042 with 1 amendment, CS for SB 380 with 5 amendments, CS for CS for SB 646, CS for SB 706, CS for CS for SB 742 with 2 amendments, CS for SB 822 with 1 amendment, CS for SB 1184, SB 1268 with 1 amendment, CS for SB 1402

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

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The Committee on Judiciary recommends a committee substitute for the following: SB 1244

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

The Committee on Judiciary recommends a committee substitute for the following: SB 552

The Committee on Natural Resources recommends a committee substitute for the following: SB 600

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

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The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1846

The Committee on Education recommends committee substitutes for the following: SB 924, SB 2074

The Committee on Health Care recommends a committee substitute for the following: SB 870

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2076

**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.**

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The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1366

The Committee on Natural Resources recommends a committee substitute for the following: Senate Bills 1794 and 2200

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

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The Committee on Children, Families and Seniors recommends committee substitutes for the following: SB 1878, SB 2060

The Committee on Commerce and Economic Opportunities recommends committee substitutes for the following: SB 2014, SB 2310

The Committee on Governmental Reform and Oversight recommends committee substitutes for the following: SB 1056, SB 1156, SB 1620, SB 1684

The Committee on Natural Resources recommends committee substitutes for the following: CS for SB 374, SB 1176, SB 1554, SB 1880

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

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2054

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 2224

The Committee on Education recommends a committee substitute for the following: SB 2136

The Committee on Health Care recommends a committee substitute for the following: SB 932

The Committee on Judiciary recommends a committee substitute for the following: SB 418

The Committee on Regulated Industries recommends committee substitutes for the following: SB 1508, SB 2056

The Committee on Rules and Calendar recommends a committee substitute for the following: SB 874

The Committee on Ways and Means recommends committee substitutes for the following: SB 62, CS for SB 194, SB 536, SB 1450, CS for SB 1996 and CS for SB 1182

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

**REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS**

The Honorable Toni Jennings  
President, The Florida Senate

April 1, 1998

Re: Suspension of:

AVANT WARREN BROWN  
Member, Board of County  
Commissioners  
Glades County, Florida

Dear President Jennings:

The suspension of Avant Warren Brown has been referred to the Committee on Executive Business, Ethics and Elections.

By Executive Order Number 97-131 filed with the Secretary of State on April 15, 1997, the Honorable Lawton Chiles, as Governor, suspended Avant Warren Brown as a member of the Board of County Commissioners of Glades County, Florida. On June 16, 1997, the Honorable Lawton Chiles entered an Order of Reinstatement, Executive Order Number 97-175, revoking the Executive Order of Suspension and reinstating the Honorable Avant Warren Brown to the aforesaid county office on that date.

In view of the foregoing, no further action by the Senate is authorized or required by the Florida Constitution. The case is now in the proper posture for the Senate to enter a formal finding that no further action is necessary, and that this suspension case be closed.

Sincerely,  
*Charlie Crist, Chairman*

The Honorable Toni Jennings  
President, The Florida Senate

April 1, 1998

Re: Suspension of:

JAMES C. BURKE  
Member, Board of County  
Commissioners  
Dade County, Florida

Dear President Jennings:

The suspension of James C. "Jimmy" Burke has been referred to the Committee on Executive Business, Ethics and Elections.

By Executive Order Number 98-12 filed with the Secretary of State on January 9, 1998, the Honorable Lawton Chiles, as Governor, suspended Jimmy Burke as a member of the Board of County Commissioners of Dade County, Florida. By letter dated January 10, 1998, Mr. Burke tendered his resignation from the aforementioned office. On the same day, the Honorable Lawton Chiles, as Governor, accepted the resignation of Mr. Burke effective January 10, 1998. Mr. Burke's resignation was filed with the Department of State on January 13, 1998.

In view of the foregoing, no further action by the Senate is authorized or required by the Florida Constitution. The case is now in the proper posture for the Senate to enter a formal finding that no further action is necessary, and that this suspension case be closed.

Sincerely,  
*Charlie Crist, Chairman*

**INTRODUCTION AND REFERENCE OF BILLS**

**FIRST READING**

By Senator Geller—

**SB 2538**—A bill to be entitled An act relating to elections; amending s. 106.021, F.S.; providing a limitation on direct expenditures by political committees and political parties; providing an effective date.

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

By Senators Geller, Klein, Forman, Campbell, Meadows, Silver, Rossin, Dyer, Casas, Gutman, Crist, Jones, Harris and Dudley—

**SB 2540**—A bill to be entitled An act relating to insurance claims of Holocaust victims and their heirs and beneficiaries; creating s. 626.9543, F.S.; providing a short title; providing legislative intent and purpose; requiring the Department of Insurance to provide certain assistance to Holocaust victims; providing requirements for insurers relating to insurance claims from beneficiaries, descendants, or heirs of Holocaust victims; limiting certain statutes of limitation under certain circumstances; requiring insurers to report certain information to the department; requiring the department to report to the Legislature; providing penalties; providing requirements for bringing certain causes of action; providing severability; providing an effective date.

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

By Senator Laurent—

**SB 2542**—A bill to be entitled An act relating to public health; amending s. 381.0065, F.S.; prescribing agency responsibility for determining site suitability for on-site sewage treatment and disposal systems; revising guidelines for the granting of variances regarding such systems; amending s. 381.0068, F.S.; revising responsibilities and duties of the technical review and advisory panel; providing an effective date.

—was referred to the Committees on Community Affairs and Health Care.

**SR 2544**—Not referenced.

By Senator Myers—

**SB 2546**—A bill to be entitled An act relating to the Department of Health; amending s. 499.003, F.S.; providing definitions; amending s. 499.005, F.S.; clarifying prohibited acts; amending s. 499.01, F.S.; conforming listed permits; amending s. 499.012, F.S.; deleting definitions; clarifying wholesale distribution and permitting requirements; authorizing transfers for government purposes in certain situations; authorizing a retail pharmacy to transfer limited quantities of prescription drugs without a wholesaler permit; amending s. 499.0121, F.S.; clarifying existing rulemaking authority for the storage and handling of drugs; providing for notification to the department; amending s. 499.0122, F.S.; providing for an expiration date of a practitioner's order for medical oxygen; deleting a definition; clarifying provisions related to the sale of veterinary drugs to the public; amending s. 499.013, F.S.; providing an exemption from permitting requirements; amending s. 499.014, F.S.; revising statutory references; amending s. 499.015, F.S.; revising statutory references; amending s. 499.024, F.S.; providing drug product classification; revising statutory references; amending s. 499.028, F.S.; authorizing government officers and employees to possess complimentary prescription drugs when acting within the scope of employment; amending s. 499.03, F.S.; revising statutory references; prohibiting possession of certain drugs unless they are lawfully dispensed pursuant to a valid prescription; amending s. 499.041, F.S.; deleting a fee; providing that fees are nonrefundable; amending s. 499.051, F.S.; authorizing agents



of the Department of Health to inspect and investigate at any time, if necessary, to protect the public health; deleting a requirement that the Department of Business and Professional Regulation inspect retail pharmacy wholesalers; amending s. 499.066, F.S.; authorizing immediate effectiveness of cease and desist order with provision for motion to abate or modify the order; amending s. 499.069, F.S.; correcting cross-references to the prohibited acts for criminal punishment; creating s. 499.072, F.S.; creating the Drug Regulation Advisory Group; providing membership; providing per diem and travel expenses; providing purpose and duties; authorizing the department to publish compliance policy guidelines setting forth the group's recommendations; amending s. 499.62, F.S.; providing an intracompany exception to permitting ether; providing an effective date.

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

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By Senator Silver—

**SB 2548**—A bill to be entitled An act relating to employment by amusement enterprises; requiring an applicant for such employment to submit a set of fingerprints to the Department of Agriculture and Consumer Services; requiring the applicant to bear the costs of processing the fingerprints; providing that the work privilege is revocable by the department; providing an effective date.

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

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By Senator Silver—

**SB 2550**—A bill to be entitled An act relating to brain and spinal cord injury; stating legislative intent to provide a permanent source of funding to increase amounts available for spinal cord injury and brain injury research; amending s. 413.20, F.S.; amending the definition of the term "traumatic injury"; amending s. 413.613, F.S.; providing for the distribution of moneys from the Brain and Spinal Cord Injury Rehabilitation Trust Fund to specified universities for spinal cord injury and brain injury research; deleting a limitation on the dollar amount of such trust fund moneys that may be distributed in any one year to certain of the universities for such purposes; providing an effective date.

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

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**Senate Resolutions 2552—2556**—Not referenced.

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By Senator McKay—

**SB 2558**—A bill to be entitled An act relating to water management; amending s. 373.503, F.S.; revising the statutory millage rate cap for water management districts; deleting authority to levy taxes in specified territories; creating s. 373.505, F.S.; requiring the districts to submit preliminary budget requests to the Governor; providing for public hearings, review procedures, and required data; requiring reports of expenditures to the Governor and the Legislature; repealing s. 373.536(5), F.S., relating to the current district budgeting process; providing an effective date.

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

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By Senator McKay—

**SB 2560**—A bill to be entitled An act relating to education; creating a public-private partnership pilot program; providing intent and definitions; providing eligibility requirements for private schools and non-profit organizations; providing for flexibility in educating students; providing for payment of funds; requiring certain funds to be sent to a

direct-support organization for specified use; providing student eligibility requirements; providing for rules; requiring the Department of Education to establish a choice-information center; requiring legislative review; requiring reports; providing for severability; providing an effective date.

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

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By Senator Laurent—

**SB 2562**—A bill to be entitled An act relating to water management districts; amending s. 373.536, F.S.; providing that the Legislature shall adopt or modify program priorities for water management district budgets; providing that the districts shall incorporate these program priorities in developing their budgets; providing that the Executive Office of the Governor shall determine whether each district's budget is consistent with the applicable program priorities; providing that the Executive Office of the Governor shall disapprove those portions of a water management district's budget that are determined to be inconsistent with applicable program priorities; providing an effective date.

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

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By Senator Clary—

**SB 2564**—A bill to be entitled An act relating to public education facilities; repealing s. 235.217, F.S.; abolishing the SMART Schools Clearinghouse; providing for continuation of the 5-year work program; providing duties of the Department of Education with respect to administration of the School Infrastructure Thrift Fund and Effort Index Fund; providing an effective date.

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Ways and Means; and Senator Diaz-Balart—

**CS for SB 62**—A bill to be entitled An act for the relief of Joseph Bellamy Farver; providing an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the Department of Children and Family Services, formerly the Department of Health and Rehabilitative Services; providing an effective date.

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By the Committees on Ways and Means; Criminal Justice; and Senators Childers and Lee—

**CS for CS for SB 194**—A bill to be entitled An act relating to title loan transactions; creating the "Florida Title Loan Act"; providing definitions; requiring licensure by the Department of Agriculture and Consumer Services to be in the business as a title loan lender; providing for eligibility for licensure; providing for application; providing for suspension or revocation of license; providing for a title loan transaction form; providing for recordkeeping and reporting and safekeeping of property; providing for title loan charges; providing a holding period when there is a default under the title loan agreement; providing for the disposal of pledged property; providing for disposition of excess proceeds; prohibiting certain acts; providing for the right to redeem; providing for lost title loan transaction forms; providing for a title loan lender's lien; providing for criminal penalties; providing for certain records from the Department of Law Enforcement; providing for subpoenas, enforcement of actions, and rules; providing a fine; providing for investigations and complaints; providing an appropriation; providing legislative intent; repealing s. 538.06(5), F.S., which allows a secondhand dealer to engage in a title loan transaction; repealing s. 538.15(4), (5), F.S., which prohibit certain acts and practices by secondhand dealers; amending ss. 538.03, 538.16, F.S.; deleting references to title loans; providing an effective date.

By the Committees on Natural Resources, Transportation and Senators Klein and Crist—

**CS for CS for SB 374**—A bill to be entitled An act relating to motor vehicle emissions inspections; directing the Department of Highway Safety and Motor Vehicles to hire an independent expert consultant to do a study; prohibiting the department from entering into a contract for a motor vehicle inspection program; amending s. 325.214, F.S.; setting the fee for inspections; establishing funds for the study; providing an effective date.

By the Committee on Judiciary and Senator Bronson—

**CS for SB 418**—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.29, F.S.; deleting requirement for appointment based upon race or gender and requiring consideration of those factors in making appointments; providing for the judicial nominating commission of a judicial circuit to include among its members and electors at least one resident from each county within the judicial circuit; providing an effective date.

By the Committee on Ways and Means; and Senator Kirkpatrick—

**CS for SB 536**—A bill to be entitled An act relating to education; amending ss. 239.117, 239.301, 240.117, 240.235, 240.35, F.S.; increasing the number of times state funding will support a student enrolled in the same college-preparatory class within a skill area; revising certain funding amounts; providing a fee exemption for certain postsecondary students; providing an effective date.

By the Committee on Judiciary and Senator Klein—

**CS for SB 552**—A bill to be entitled An act relating to juries; amending s. 40.015, F.S.; providing a method for establishing jury districts, boundaries; providing an effective date.

By the Committee on Natural Resources and Senator Hargrett—

**CS for SB 600**—A bill to be entitled An act relating to solid waste management; amending s. 403.707, F.S.; providing conditions for issuing permits; providing an effective date.

By the Committee on Health Care and Senator Meadows—

**CS for SB 870**—A bill to be entitled An act relating to public records and meetings; creating s. 468.854, F.S.; providing for application of public records exemptions in ss. 455.621(2) and (10) and 455.707(3)(e) and (5)(a), F.S., to certain information concerning licensed graduate social workers and licensed bachelor social workers; providing for application of the public meetings exemption in s. 455.621(4), F.S., to proceedings of a probable cause panel with respect to investigations concerning such practitioners; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

By the Committee on Rules and Calendar; and Senators McKay, Dudley, Rossin, Ostalkiewicz, Lee and Campbell—

**CS for SB 874**—A bill to be entitled An act relating to civil actions; creating s. 40.50, F.S.; specifying certain rights of jurors; authorizing discussions among jurors; authorizing jurors to take notes; authorizing certain information to be provided to jurors; authorizing jurors to submit written questions to the court and to witnesses; amending s. 44.102, F.S.; requiring that the court require mediation in certain actions for monetary damages; requiring the completion of mediation before trial is set in certain civil actions; providing conditions for mediation; creating s. 47.025, F.S.; specifying where certain lien actions may be brought against resident contractors, subcontractors, and sub-subcontractors; amending s. 57.105, F.S.; revising conditions under which attorney's fees

may be imposed against a party and the party's attorney for presenting unsupported claims or defenses; entitling an opposing party to strike certain claims or defenses raised by a party who has been sanctioned in a specified number of actions within a specified period for presenting unsupported claims or defenses; authorizing the court to impose additional sanctions or requirements; authorizing damage awards against a party who takes specified actions for the purpose of delay; amending s. 90.803, F.S.; revising the requirements under which former testimony may be allowed at trial as an exception to the prohibition against hearsay evidence; amending s. 95.031, F.S.; limiting the period during which an action may be brought for product liability; providing for application; amending s. 768.075, F.S.; decreasing blood-alcohol level; changing standard of conduct from willful and wanton misconduct to intentional misconduct; providing an exemption from liability to trespassers; providing conditions and limitations on exemption; providing definitions; creating s. 768.096, F.S.; providing an employer with a presumption against negligent hiring under specified conditions in an action for civil damages resulting from an intentional tort committed by an employee if the employer conducts a preemployment background investigation; prescribing the elements of such background investigation; specifying that electing not to complete the background investigation does not constitute a failure to use reasonable care in hiring an employee; amending s. 768.095, F.S.; revising the conditions under which an employer is immune from civil liability for disclosing information regarding an employee to a prospective employer; creating s. 768.098, F.S.; providing that a business owner or operator is immune from liability under certain circumstances for an intentional tort by a third party against an invitee; providing for an exception; creating s. 768.1256, F.S.; creating a rebuttable presumption from liability for products, drugs, and medical devices in compliance with certain standards; providing exceptions; providing that, under certain circumstances, a state agency or political subdivision may be held liable to the same extent as a private person for failure to provide adequate security or police protection; creating s. 768.099, F.S.; limiting liability of motor vehicle owners and rental companies to specific amounts without a showing of negligence or intentional misconduct; providing exceptions; creating s. 768.36, F.S.; prohibiting a plaintiff from recovering damages if the plaintiff was more than a specified percentage at fault due to the influence of an alcoholic beverage or drugs; creating s. 768.725, F.S.; providing for evidentiary standards for an award of punitive damages; amending s. 768.73, F.S.; requiring certain findings for, and providing for reduction of, subsequent punitive damage awards under specified circumstances; requiring that a specified percentage of an award for punitive damages be paid to the state; requiring the Department of Banking and Finance to collect the payments of such awards; providing for attorney's fees for the claimant to be based on the entire award of punitive damages; creating s. 768.736, F.S.; providing that ss. 768.725, 768.73, F.S., relating to punitive damages, do not apply to intoxicated defendants; creating s. 768.781, F.S.; providing for terms in certain contracts for an attorney's services; requiring that notice be sent to each allegedly responsible party; providing requirements for a presuit response and settlement offer; amending s. 768.79, F.S.; authorizing the court to consider whether a proposal was reasonably rejected when considering entitlement to and the amount of an award of attorney's fees; amending s. 768.81, F.S.; providing for the apportionment of damages on the basis of joint and several liability when a party's fault exceeds a certain percentage; requiring a defendant to plead that a nonparty is at fault within a certain time; requiring that the defendant must prove the nonparty has some fault; repealing s. 768.81(5), F.S., relating to the applicability of joint and several liability to actions in which the total amount of damages does not exceed a specified amount; requiring physicians and osteopathic physicians to obtain and maintain a specified amount of professional liability coverage as a condition of hospital staff privileges; providing legislative findings and intent with respect to the regulation of legal advertising; creating s. 877.023, F.S.; regulating the content of advertisements for legal services; providing a penalty; specifying that the provisions do not abrogate certain other laws, codes, ordinances, rules, or penalties; requiring the clerk of court to report certain information on negligence cases to the Office of the State Court Administrator; providing for severability; providing an effective date.

By the Committee on Education and Senator Sullivan—

**CS for SB 924**—A bill to be entitled An act relating to nonpublic postsecondary education institutions; amending s. 246.021, F.S.; clarifying the definition of the term "college"; amending s. 246.031, F.S.; revising requirements relating to members of the State Board of Independent

Colleges and Universities; amending s. 246.041, F.S.; revising powers and duties of the board; deleting or correcting obsolete references; amending s. 246.084, F.S., relating to colleges receiving an authorization; revising certain requirements; providing for exemption from certain requirements; revising provisions relating to oversight of the review and collection of data for purposes of determining compliance; amending s. 246.085, F.S.; revising provisions relating to issuance of a certificate of exemption; amending s. 246.101, F.S., to conform; amending 246.121, F.S.; correcting obsolete references; amending s. 246.31, F.S., relating to the Institutional Assessment Trust Fund; conforming provisions; providing an effective date.

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

**CS for SB 932**—A bill to be entitled An act relating to regulation of professionals; amending s. 455.624, F.S.; specifying health care professionals for whom failure to wear certain identification while offering services to the public is grounds for disciplinary action; requiring the Department of Health or appropriate board to designate by rule exceptions to the grounds for disciplinary action; providing penalties; providing an effective date.

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By the Committee on Governmental Reform and Oversight; and Senator Kurth—

**CS for SB 1056**—A bill to be entitled An act relating to financial matters; amending s. 18.10, F.S., which provides requirements for deposit and investment of state money; revising the standards that certain corporate obligations and state and local government obligations must meet to be qualified for such investment; authorizing investment in certain foreign bonds and certain convertible debt obligations of corporations domiciled in the United States; amending s. 766.315, F.S.; authorizing the association to invest plan funds only in investments and securities described in s. 215.47, F.S.; providing an effective date.

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By the Committee on Governmental Reform and Oversight; and Senator Dyer—

**CS for SB 1156**—A bill to be entitled An act relating to affordable housing; amending s. 420.0005, F.S.; clarifying application of certain provisions to the State Housing Fund; amending s. 420.0006, F.S.; specifying an additional requirement for contracts with the Florida Housing Finance Corporation; providing duties of the Comptroller relating to certain advances to the corporation; amending s. 420.503, F.S.; clarifying application to the corporation's fiscal year; amending s. 420.504, F.S.; providing for alternative public notice; providing the corporation with limited benefits of sovereign immunity; deleting a definition; amending s. 420.5061, F.S.; providing that the corporation is a state agency for purposes of the state allocation pool for private activity bonds; amending s. 420.507, F.S.; including services within certain procurement requirement provisions; authorizing the corporation to mortgage certain property; deleting a budget limitation on certain programs; providing additional powers of the corporation; providing that the corporation may provide infrastructure improvements; amending s. 420.5087, F.S.; clarifying application of the state fiscal year; amending s. 420.5088, F.S.; expanding availability of certain program funds; amending s. 420.5089, F.S.; deleting a requirement for certain program fund loan commitments under certain circumstances; amending s. 420.509, F.S.; clarifying application of provisions for public sale of corporation bonds; amending s. 420.511, F.S.; revising requirements for the corporation's business plan for affordable housing; amending s. 420.512, F.S.; limiting application of a term for certain purposes; amending s. 420.528, F.S.; clarifying application to the corporation's fiscal year; amending s. 420.9071, F.S.; correcting a cross reference; clarifying application to the corporation's fiscal year; amending ss. 420.9073 and 420.9079, F.S.; clarifying application to the state fiscal year; repealing s. 420.504(8), F.S., relating to certain liability of members of the board of directors of the corporation; providing an effective date.

By the Committee on Natural Resources and Senator Lee—

**CS for SB 1176**—A bill to be entitled An act relating to rulemaking authority of the Department of Environmental Protection with respect to phosphogypsum management; requiring the Department of Environmental Protection to adopt rules to ensure that phosphogypsum stack systems are operated to meet critical safety standards by July 1, 1999; amending s. 403.1651, F.S.; authorizing the Department of Environmental Protection to enter into settlements in which moneys are to be deposited into a local pollution-recovery fund and used for specified purposes; providing an effective date.

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By the Committee on Judiciary and Senator Burt—

**CS for SB 1244**—A bill to be entitled An act relating to legal process; amending s. 48.031, F.S., relating to service upon a sole proprietorship; providing that substitute service may be made upon person in charge of the business at the time of service, under specified circumstances; amending s. 48.183, F.S.; providing for service of process in an action for possession of residential premises; amending s. 48.27, F.S.; providing for application and fee for inclusion on list of certified process servers; authorizing certain service when a civil action has been filed in a circuit or county court in the state; amending s. 55.03, F.S., relating to docketing and indexing of civil process generally; revising provisions relating to rate of interest; providing an exception from certain docketing and indexing or collection requirements when rate of interest is not on the face of the process, writ, judgment, or decree; amending s. 56.27, F.S., relating to payment to execution creditor of money collected; providing for payment to a junior writ of certain surplus moneys collected; amending s. 56.28, F.S.; requiring written demand by plaintiff as a condition for officer's liability to pay over within 10 days certain moneys collected; providing an effective date.

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By the Committee on Commerce and Economic Opportunities; and Senator Klein—

**CS for SB 1366**—A bill to be entitled An act relating to motor vehicles; amending s. 521.004, F.S.; modifying the disclosure form for a motor vehicle lease; amending s. 681.102, F.S.; modifying definitions applicable to motor vehicle sales warranties; providing an effective date.

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By the Committee on Ways and Means; and Senators Bankhead, Lee, Clary, Hargrett, Sullivan, McKay, Crist and Cowin—

**CS for SB 1450**—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.023, F.S.; defining the terms "ministerial function" and "processing activity" for purposes of ch. 199, F.S.; amending s. 199.052, F.S.; increasing the minimum amount of annual intangible personal property tax which a person may be required to pay; repealing s. 199.052(11), F.S., relating to returns filed by banking organizations, to conform; amending s. 199.175, F.S., relating to taxable situs; conforming provisions; amending s. 199.185, F.S.; revising the exemption from intangible personal property taxes for certain property held in trust; revising the exemption for real estate mortgage investment conduits; partially exempting accounts receivable arising out of a trade or business from intangible personal property taxes; providing legislative intent to fully exempt such assets in subsequent years; providing a full, rather than partial, exemption from the annual tax for banks and savings associations and providing for application of the exemption to organizations defined by s. 220.62(1), (2), (3), and (4), F.S.; exempting insurers from the annual tax; repealing s. 199.104, F.S., which provides a credit against the annual tax for banks and savings associations; repealing s. 220.68, F.S., which provides a credit against the franchise tax imposed on banks and savings associations based on intangible tax paid; amending s. 199.282, F.S.; revising the penalty for late filing of an annual intangible tax return; providing a limitation on combined delinquency and late filing penalties; revising the penalty for omitting or undervaluing property on an annual return; amending s. 199.292, F.S.; revising the distribution of intangible tax revenues; amending s. 220.02, F.S., relating to order of credits against the corporate income tax or franchise tax, and s. 624.509, F.S., relating to the

insurance premium tax; conforming provisions; providing application; providing effective dates.

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By the Committee on Regulated Industries and Senators Latvala and Horne—

**CS for SB 1508**—A bill to be entitled An act relating to public accountancy; amending s. 473.302, F.S.; providing definitions; amending s. 473.303, F.S.; revising provisions relating to membership on probable cause panels of the Board of Accountancy; amending s. 473.306, F.S.; providing conditions under which the board may adopt an alternative licensure examination for persons licensed to practice public accountancy or its equivalent in a foreign country; providing for appointment of an Educational Advisory Committee for purposes of maintaining proper educational qualifications for licensure of certified public accountants; amending s. 473.308, F.S.; revising licensure requirements relating to public accountancy experience outside this state; amending s. 473.309, F.S.; providing additional requirements for a partnership, corporation, or limited liability company to practice public accountancy in this state; amending s. 473.3101, F.S.; providing requirements for the licensure of sole proprietors and other legal entities; amending s. 473.312, F.S.; providing for appointment of a Continuing Professional Education Advisory Committee for purposes of maintaining proper continuing education requirements for renewal of licensure of certified public accountants; amending s. 473.313, F.S.; providing continuing education requirements for the reactivation of certain licenses; amending s. 473.315, F.S.; providing an exemption for attorneys; amending ss. 473.319, 473.3205, F.S.; revising provisions relating to contingency fees, commissions, and referral fees; amending s. 473.322, F.S.; providing certain requirements for persons offering certain public accounting services; providing an effective date.

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By the Committee on Natural Resources and Senators Williams and Kirkpatrick—

**CS for SB 1554**—A bill to be entitled An act relating to air pollution control revenues; amending s. 215.22, F.S.; exempting the Air Pollution Control Trust Fund from a surcharge; amending s. 403.0872, F.S.; providing for adjustments in the major stationary source annual air-operation permit license fees; deleting obsolete provisions relating to a study that was conducted; changing the date for an audit of the major stationary source air-operation permit program; providing an effective date.

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By the Committee on Governmental Reform and Oversight; and Senator Williams—

**CS for SB 1620**—A bill to be entitled An act relating to consumer protection; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information to the Department of Agriculture and Consumer Services; amending s. 496.403, F.S.; exempting persons or organizations who solicit solely on behalf of bona fide religious institutions, educational institutions, and governmental entities from the provisions of ss. 496.401-496.424, F.S.; amending s. 496.404, F.S.; clarifying a definition; amending s. 496.405, F.S.; revising a registration fee schedule for charitable organizations; amending s. 496.406, F.S.; deleting certain registration requirements for certain charitable organizations; amending s. 501.143, F.S.; deleting a specific annual registration date for certain dance studios; amending s. 501.607, F.S.; clarifying certain procedures for licensing salespersons; amending s. 501.2101, F.S.; authorizing the deposit of moneys received by an enforcing authority for attorney's fees and costs of investigation or litigation to be deposited in the Legal Affairs Revolving Trust Fund; amending s. 559.805, F.S.; requiring business opportunity sellers to disclose certain information; amending s. 559.904, F.S.; clarifying registration requirements for motor vehicle repair shop operators; providing a late fee; amending s. 817.415, F.S.; revising requirements for free advertising; providing an effective date.

By the Committee on Governmental Reform and Oversight—

**CS for SB 1684**—A bill to be entitled An act relating to the Florida Retirement System (RAB); clarifying provisions throughout ch. 121, F.S., relating to vesting and the normal retirement date for a member; amending s. 121.021, F.S., relating to definitions; revising and adding definitions; amending s. 121.051, F.S., relating to participation in the Florida Retirement System; providing that consultants and independent contractors are ineligible to participate; establishing procedures and requirements for municipalities or special districts that choose to participate in the Florida Retirement System; providing requirements for employers that transfer, merge, or consolidate governmental services or functions; limiting a member's rights following a conviction for causing a shortage in a public account; providing requirements and limitations for a member who is dually employed; amending s. 121.0515, F.S., relating to Special Risk Class membership; providing for retroactive membership in certain cases; requiring certain members who are moved or reassigned to participate in the Special Risk Administrative Support Class; amending s. 121.052, F.S., relating to the Elected State and County Officers' Class; providing for calculating average final compensation; amending s. 121.053, F.S., relating to retired member participation in the Elected State and County Officers' Class; clarifying requirements for creditable service; amending s. 121.055, F.S., relating to the Senior Management Service Optional Annuity Program; clarifying participation requirements; providing for the Optional Annuity Program Trust Fund; providing eligibility requirements for receiving benefits; providing for administering the program; providing requirements and limitations for a member who is dually employed; amending s. 121.071, F.S., relating to system contributions; providing requirements for contributions for other creditable service; amending s. 121.081, F.S., relating to contributions for past service or prior service; clarifying provisions with respect to required contributions; providing requirements for receiving service credit and prior service credit; amending s. 121.091, F.S., relating to benefits payable under the Florida Retirement System; providing for cancellation of application for retirement benefits; clarifying and consolidating benefit provisions; providing procedures for determining average final compensation; providing for determining disability retirement benefits; providing for optional forms of retirement benefits and disability retirement benefits; providing requirements for determining death benefits; providing for designating beneficiaries; providing for the payment of benefits; authorizing certain deductions from the monthly benefit payment; amending s. 121.111, F.S., relating to credit for military service; providing requirements for determining creditable service; amending s. 121.121, F.S.; providing requirements for purchasing creditable service for authorized leaves of absence; amending s. 121.122, F.S., relating to renewed membership; clarifying requirements for a member who does not claim credit for all postretirement service; creating s. 121.193, F.S., relating to external compliance audits; providing responsibilities of the Division of Retirement of the Department of Management Services with respect to such audits; specifying requirements of participating agencies; amending s. 121.35, F.S., relating to the Optional Retirement Program for the State University System; providing for the application of certain federal requirements; providing for the administration of the Optional Retirement Program Trust Fund; clarifying benefit requirements; providing for responsibilities of the Board of Regents and institutions in the State University System; amending s. 121.40, F.S., relating to the supplemental retirement benefits provided for certain personnel at the Institute of Food and Agricultural Sciences at the University of Florida; providing for the deduction of certain payments from the monthly benefit payment; providing legislative intent with respect to the amendments made by the act; providing an effective date.

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By the Committee on Natural Resources and Senators Burt and Clary—

**CS for SB's 1794 and 2200**—A bill to be entitled An act relating to boating safety and emergency responses; amending s. 316.003, F.S.; redefining the term "authorized emergency vehicles" to include reference to vehicles of the Department of Environmental Protection; amending s. 327.02, F.S.; redefining the term "operate" with respect to vessels; amending s. 327.352, F.S.; revising language with respect to the operation of a vessel while under the influence; providing Legislative intent; restoring a penalty for refusal to submit to chemical or physical testing; conforming provisions relating to boating under the influence to driving under the influence; creating s. 327.35201, F.S.; restoring a penalty for

refusal to submit to chemical testing; amending s. 327.50, F.S.; revising language with respect to vessel safety regulations, equipment and lighting requirements to clarify responsibility for compliance; amending s. 327.731, F.S.; increasing the number of convictions necessary for mandatory education; clarifying compliance procedures; providing effective dates.

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By the Committee on Commerce and Economic Opportunities; and Senator Williams—

**CS for SB 1846**—A bill to be entitled An act relating to air carriers; directing the Department of Management Services to evaluate the state contract for air carrier service for state employees, to undertake a pilot program, and to adopt purchasing guidelines; directing the Office of Program Policy Analysis and Government Accountability to review the impact of the pilot program and report to the Legislature; directing Enterprise Florida, Inc., to complete a review of the impact of regional airports on economic development in the state; providing an effective date.

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By the Committee on Children, Families and Seniors; and Senator Kurth—

**CS for SB 1878**—A bill to be entitled An act relating to the Child Care Executive Partnership; amending s. 409.178, F.S.; conforming title of the partnership program; revising membership of the partnership; authorizing administration of child care purchasing pool funds by the state resource and referral agency; providing for development of procedures for disbursement of funds through the child care purchasing pools; deleting references to pilot child care purchasing pools; revising parent fee requirements; providing an effective date.

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By the Committee on Natural Resources and Senator Kurth—

**CS for SB 1880**—A bill to be entitled An act relating to boating safety; amending s. 327.02, F.S.; redefining "personal watercraft"; amending s. 327.25, F.S.; classifying all personal watercraft as class A-2 vessels; amending s. 327.28, F.S.; providing for distribution and use of registration fees therefor; amending s. 327.39, F.S.; revising requirements for operation of a personal watercraft relating to authorized flotation devices, times of operation, maneuvers constituting reckless operation, and minimum age for operation; prohibiting lease, hiring, or rental to certain persons; requiring all vessel operators to have certain photographic identification; providing a penalty; providing a grandfather clause; amending s. 327.395, F.S.; conforming provisions relating to boating safety identification cards; amending s. 327.54, F.S.; revising requirements for lease, hiring, or rental of vessels by liveries relating to pre- or pre-ride instruction, minimum age for rental, and safety information and instruction; removing liveries' immunity from liability for certain accidents or injuries; requiring certain insurance coverage; providing a penalty; reenacting s. 327.73(1)(p) and (s), F.S., relating to a penalty for violation of vessel laws, to incorporate the amendments to ss. 327.39, 327.395, F.S., in references; providing an effective date.

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By the Committees on Ways and Means; Education; and Senators Grant, Latvala and Scott—

**CS for CS for SB 1996 and CS for SB 1182**—A bill to be entitled An act relating to charter schools; amending s. 228.056, F.S.; providing for recognition as public schools; revising requirements relating to proposals; providing for appeal of disputes and requiring mediation services; revising limitations on the number of schools; revising provisions relating to eligible students; providing for operation by a nonprofit organization; deleting certain restrictions on holding charter contracts; revising provisions relating to charter terms; providing for public employee status; providing requirements relating to employees; revising requirements relating to student transportation; revising administrative fee provisions and requiring certain administrative and educational services; revising provisions relating to charter school use of certain facilities or property; providing for certain purchasing; authorizing charter schools-in-the-workplace; providing requirements and tax exemp-

tion; creating s. 228.0561, F.S.; providing for the distribution of funds from the Charter Schools Capital Outlay Trust Fund; providing eligibility requirements; providing for the recovery of funds; providing duties of the Commissioner of Education; authorizing the use of funds for certain capital outlay purposes of charter schools; requiring a legislative budget request for appropriations from the Charter Schools Capital Outlay Trust Fund; providing effective dates.

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By the Committee on Commerce and Economic Opportunities; and Senator Bankhead—

**CS for SB 2014**—A bill to be entitled An act relating to the WAGES Program; creating s. 414.155, F.S.; providing a relocation assistance program for families receiving or eligible to receive WAGES Program assistance; providing responsibilities of the Department of Children and Family Services and the Department of Labor and Employment Security; providing for a relocation plan and for monitoring of the relocation; requiring agreements restricting application for temporary cash assistance for a specified period; providing exceptions; requiring repayment of temporary cash assistance provided under certain circumstances, and reduced eligibility for future assistance; providing rulemaking authority for the Department of Children and Family Services and the Department of Labor and Employment Security; providing legislative intent with respect to encouraging the employment of participants in the WAGES Program; requiring the Office of Tourism, Trade, and Economic Development to certify to the President of the Senate and the Speaker of the House of Representatives the amount of taxes and the economic benefit generated by the restaurant industry from employing WAGES participants and to add that amount to the total amount of certain beverage taxes and penalties paid during a specified calendar year; providing for the repeal of s. 561.501, F.S., relating to the surcharge on the sale of alcoholic beverages, if the total amount of the surcharge exceeds a specified figure; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Diaz-Balart—

**CS for SB 2054**—A bill to be entitled An act relating to property insurance; amending ss. 627.7013, 627.7014, F.S.; providing findings relating to the moratorium on hurricane-related cancellations and non-renewals of personal lines residential policies and condominium association policies, respectively; deleting provisions relating to accelerated exposure reduction plans; providing circumstances under which the sections are inoperative; delaying the future repeal date of the sections; providing an effective date.

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By the Committee on Regulated Industries and Senator Lee—

**CS for SB 2056**—A bill to be entitled An act relating to contractor licensing; amending s. 489.103, F.S.; exempting certain real estate licensees from the contractor licensing provisions; amending s. 489.503, F.S.; exempting certain real estate licensees from the contractor licensing provisions; providing an effective date.

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By the Committee on Children, Families and Seniors; and Senators Gutman and Turner—

**CS for SB 2060**—A bill to be entitled An act relating to the Legal Immigrant's Temporary Income Bridge Program; amending s. 10, ch. 97-259, Laws of Florida; providing that unused program funds for the current fiscal year may be used for food stamps for legal immigrants who are in the naturalization and citizenship process or in the process of seeking an exemption thereto and who are children, recipients of Supplemental Security Income, or persons of a specified age; providing an appropriation; providing an effective date.

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By the Committee on Education and Senator Burt—

**CS for SB 2074**—A bill to be entitled An act relating to education; authorizing the creation of charter technical career centers; prescribing

powers and duties of the Commissioner of Education, the Department of Education, participating district school boards, and community college district boards of trustees, with respect to charter technical career centers; prescribing powers and duties of charter technical career centers and their boards of directors; providing for funding; prescribing rights and duties of employees of centers and of district school board employees and community college employees working at charter technical career centers; providing for the resolution of complaints; providing for revocation of a charter; providing for rules; amending s. 121.021, F.S.; redefining the term "covered group" with respect to the Florida Retirement System to include charter technical career centers; amending s. 121.051, F.S.; providing for optional participation in the Florida Retirement System by employees of charter technical career centers; amending s. 236.081, F.S.; providing for calculating changes in school district funding resulting from a drop in enrollment based on student transfers to a charter technical career center; providing an effective date.

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By the Committee on Regulated Industries and Senator Clary—

**CS for SB 2076**—A bill to be entitled An act relating to professional regulation; amending s. 11.62, F.S.; adding criteria for evaluating new regulation; amending s. 455.201, F.S.; requiring the Department of Business and Professional Regulation to consider the impact on jobs when considering new regulation; creating s. 455.2035, F.S.; providing the department rulemaking authority; amending ss. 455.209, 455.213, 455.218, F.S.; conforming provisions to a previous administrative reorganization; creating s. 455.2237, F.S.; providing authority to inspect and investigate records, offices, and job sites; amending s. 455.225, F.S.; revising probable-cause provisions; prescribing authority of the department or a board in cases of failure to comply with continuing-education requirements; conforming provisions to a previous administrative reorganization; amending s. 455.2285, F.S.; conforming provisions to a previous administrative reorganization; amending s. 455.517, F.S.; requiring the Department of Health to consider the impact on jobs when creating new regulation; providing effective dates.

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By the Committee on Education and Senator Grant—

**CS for SB 2136**—A bill to be entitled An act relating to education; amending s. 240.61, F.S.; revising criteria for participating in the college reach-out program; revising the due date for a report on the college reach-out program; removing the requirement for including longitudinal cohort assessment; repealing s. 240.154, F.S., which provides for undergraduate enhancement; repealing s. 240.278, F.S., which provides for the establishment and use of the Quality Assurance Fund; repealing s. 240.521, F.S., which provides for the establishment of a state university or a branch of an existing state university to be located in East Central Florida; repealing s. 240.522, F.S., which provides for the establishment of a university in Southwest Florida; repealing s. 240.523, F.S., which provides for the establishment of a 4-year college in Dade County; repealing s. 240.525, F.S., which provides for the establishment of a state university or branch of an existing state university or state college in Duval County; providing an effective date.

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By the Committee on Commerce and Economic Opportunities; and Senator Campbell—

**CS for SB 2224**—A bill to be entitled An act relating to game promotions; amending s. 849.094, F.S.; redefining the terms "game promotion" and "operator" and defining the term "older individual"; prohibiting certain acts in connection with game promotions and promotional materials therefor; requiring certain information to be printed on envelopes; providing penalties, including increased penalties when an unlawful act is against an older individual; providing an effective date.

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By the Committee on Commerce and Economic Opportunities; and Senator Myers—

**CS for SB 2310**—A bill to be entitled An act relating to trust funds; creating the Work and Gain Economic Self-sufficiency (WAGES) Trust

Fund for the deposit of federal funds that support the WAGES Program; providing for the investment and appropriation of trust fund moneys; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 1793, CS for HB 1985, CS for HB 3007, HB 3125, CS for HB 3199, CS for HB's 3503 and 3329, HB 3509, HB 3569, HB 3685; has passed as amended CS for HB 823, HB 887, HB 1083, HB 1693, HB 1705, HB 1749, HB 1901, HB 1939, HB 1945, HB 2099, CS for HB 3171, HB 3239, CS for HB 3287, HB 3407, CS for HB 4131; has adopted HM 1443; has adopted as amended HM 1811 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

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By the Committees on General Government Appropriations and Education Innovation and Representative Wise and others—

**CS for CS for HB 1793**—A bill to be entitled An act relating to nonprofit private schools; amending s. 159.27, F.S.; redefining the term "educational facility" to include property used for the operation of certain nonprofit private schools; providing requirements relating to financing; amending s. 623.13, F.S.; authorizing financing under the Florida Industrial Development Financing Act; providing an effective date.

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

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By the Committees on Family Law and Children; Children and Family Empowerment; and Representative Lynn and others—

**CS for HB 1985**—A bill to be entitled An act relating to human rights; amending s. 402.165, F.S.; redesignating the Statewide Human Rights Advocacy Committee as the Statewide Human Rights Advocacy Council; revising membership of the statewide council; increasing the term of appointment to the statewide council; amending s. 402.166, F.S.; redesignating the district human rights advocacy committees as the local human rights advocacy councils; providing for additional local councils to be established; increasing the term of appointment to a local council; providing for appointing a vice chairperson to each local council; providing for local councils to monitor the activities of, and investigate complaints against, the Department of Children and Family Services; amending s. 402.167, F.S.; revising provisions to reflect the redesignation of the human rights advocacy committees as human rights advocacy councils; amending ss. 393.13, 394.459, 394.4595, 394.4597, 394.4598, 394.4599, 394.4615, 400.0067, 400.0089, 400.419, 400.428, 415.1034, 415.104, 415.1055, 415.106, 415.107, 415.501, 415.505, and 415.51, F.S.; conforming terminology to changes made by the act; providing an effective date.

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

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

**CS for HB 3007**—A bill to be entitled An act relating to alcohol and other substance abuse testing of a delinquent child; amending s. 985.231, F.S., relating to powers of disposition in delinquency cases; providing that the court may order a delinquent child placed in an community control or aftercare program to submit to random testing for alcohol or controlled substances; providing that the order may be made at the disposition, or pursuant to the filing of a petition alleging violation of the conditions of the child's community control or aftercare supervision; reenacting s. 985.31(3)(e), F.S., relating to serious or habitual offenders, and s. 985.311(3)(e), F.S., relating to intensive residential treat-

ment program for offenders less than 13 years of age, to incorporate said amendment in references; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Representative Smith—

**HB 3125**—A bill to be entitled An act relating to disposal of solid waste; amending s. 403.707, F.S.; revising and clarifying conditions under which the disposal of solid waste is exempt from Department of Environmental Protection permitting requirements; providing an effective date.

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

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

**CS for HB 3199**—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising a definition; amending s. 538.04, F.S.; exempting secondhand dealers from certain recordkeeping requirements for transactions involving secondhand sports equipment; providing an exception; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By the Committee on Water and Resource Management; and Representative Carlton and others—

**CS for HB's 3503 and 3329**—A bill to be entitled An act relating to water resource management; amending s. 373.016, F.S.; providing legislative policy relating to state and regional water resource management; encouraging use of water from sources nearest the area of need; providing an exception; amending s. 373.019, F.S.; defining "donor area"; amending s. 373.196, F.S.; clarifying legislative intent that water resource development is a function of the water management districts; amending s. 373.223, F.S.; directing the Department of Environmental Protection or water management district governing board to give significant weight to certain factors when determining the public interest for the transport and use of water across county boundaries or outside the watershed; amending s. 373.229, F.S.; requiring additional information in permit applications for proposed transport and use of water pursuant to s. 373.223(2), F.S.; reenacting s. 373.536(5)(c), F.S.; clarifying intent with respect to language inadvertently omitted by legislative action; amending ss. 373.036, 373.209, 373.226, and 373.421, F.S.; correcting cross references; providing an effective date.

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

By Representative Constantine—

**HB 3509**—A bill to be entitled An act relating to motor vehicle specialty license plates; amending s. 320.08053, F.S.; revising language with respect to requirements for requests to establish specialty license plates; amending s. 320.08056, F.S.; revising language with respect to specialty license plates to provide criteria for the discontinuance of the issuance of an approved plate; amending s. 320.08062, F.S.; revising language with respect to an annual required audit or report; revising language with respect to annual use fees of special license plates; providing an effective date.

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

By Representative Reddick and others—

**HB 3569**—A bill to be entitled An act relating to prosecutions; amending s. 27.365, F.S., relating to the annual report by the Florida Prosecut-

ing Attorneys Association regarding prosecutions; requiring inclusion of certain additional information in the report on victim notification; requiring inclusion of certain dispositional information for cases involving domestic violence, violations of injunctions for protection against domestic violence or repeat violence, stalking, or sexual battery; specifying that the report shall be made available for public inspection; removing obsolete provision; conforming a reference; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Agriculture and Representative Bronson—

**HB 3685**—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 referred to the Committees on Agriculture; and Ways and Means.

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

**CS for HB 823**—A bill to be entitled An act relating to financial matters; amending s. 18.10, F.S., which provides requirements for deposit and investment of state money; revising the standards that certain corporate obligations and state and local government obligations must meet to be qualified for such investment; authorizing investment in certain foreign bonds and certain convertible debt obligations of corporations domiciled in the United States; amending s. 766.315, F.S.; providing that the investment of funds by the Florida Birth-Related Neurological Injury Compensation Association is subject to the provisions of s. 215.47, F.S.; providing an effective date.

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

By Representative Sublette and others—

**HB 887**—A bill to be entitled An act relating to school district expenditures; amending s. 237.081, F.S.; revising provisions relating to the advertisement of a school board's tentative budget; requiring the inclusion of specified information; authorizing rules; providing an effective date.

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

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

**HB 1083**—A bill to be entitled An act relating to 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 inapplicability 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, and 679.312, F.S., to conform; amending ss. 671.105, 671.206, 674.104, and 675.114, F.S., to conform; providing for applicability; repealing ss. 610.011, 610.021, 610.031, 610.041, 610.051, 610.061, 610.071, 610.081, 610.091, 610.101, 610.111, and 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, and 678.408, F.S., relating to investment securities under the Uniform Commercial Code; revising provisions of chapter 680, F.S., relating to leases under the Uniform Commercial Code; amending s. 680.1031, F.S.; redefining the terms "consumer lease" and "finance lease"; amending s. 680.1041, F.S.; revising language with respect to other statutes to which leases are subject; amending s. 680.303, F.S.; revising language 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 language with respect to the subsequent lease of goods by the lessor; amending s. 680.307, F.S.; revising language 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 language 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 language with respect to the procedure governing default; amending s. 680.503, F.S.; revising language with respect to modification or impairment of rights and remedies; amending s. 680.507, F.S.; revising language with respect to proof of market rent; amending s. 680.508, F.S.; revising language with respect to lessee's remedies; amending s. 680.516, F.S.; revising language 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 language with respect to cover and substitute goods; amending s. 680.519, F.S.; revising language 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 language with respect to lessor's remedies; amending s. 680.524, F.S.; revising language with respect to lessor's right to identify goods to lease contract; amending s. 680.525, F.S.; revising language with respect to lessor's right to possession of goods; amending s. 680.527, F.S.; revising language with respect to lessor's rights to dispose of goods; amending s. 680.528, F.S.; revising language with respect to lessor's damages for nonacceptance or repudiation; amending s. 680.529, F.S.; revising language with respect to lessor's action for rent; amending s. 680.532, F.S.; revising language with respect to lessor recovery for loss of residual interest; providing for the application of the act; repealing s. 679.111, F.S., relating to applicability of bulk transfer laws; providing an effective date.

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

By the Committee on Tourism and Representative Barreiro and others—

**HB 1693**—A bill to be entitled An act relating to public lodging establishments; amending s. 509.215, F.S.; revising firesafety requirements for specified public lodging establishments; deleting obsolete language; amending s. 509.242, F.S.; revising classifications for public lodging establishments; providing that such classifications are for licensing purposes only; providing classification for "home stay inn"; amending s. 553.895, F.S.; removing obsolete firesafety requirements for public lodging establishments within the Florida Building Codes Act; providing an effective date.

—was referred to the Committees on Community Affairs; and Banking and Insurance.

By Representative Peaden and others—

**HB 1705**—A bill to be entitled An act relating to access to the courts for vulnerable elders; providing legislative findings and intent; defining the term "elder"; requesting the Judicial Management Council or another court committee to evaluate the accessibility of the courts to elders and make recommendations to improve the responsiveness of the courts; providing an effective date.

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

By Representative Crow—

**HB 1749**—A bill to be entitled An act relating to Law Day; creating s. 683.22, F.S.; designating "Law Day" and "Law Week"; providing an effective date.

—was referred to the Committee on Governmental Reform and Oversight.

By the Committee on Education Innovation and Representative Melvin and others—

**HB 1901**—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 program outcome goals; providing for use of funds and startup funding; providing for accreditation; requiring an annual audit; providing for assessment of program results; requiring an annual report; providing for rules; requiring legislative review of the program; creating a pilot apprenticeship program; providing for positions and funding; providing an effective date.

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

By the Committee on Governmental Operations and Representative Posey—

**HB 1939**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from public records requirements for bank account numbers and debit, charge, and credit card numbers in the possession of an agency of state or local government;



providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committee on Governmental Reform and Oversight.

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By the Committee on Education Innovation and Representative Melvin and others—

**HB 1945**—A bill to be entitled An act relating to public records; amending s. 446.609, F.S.; providing an exemption from public records requirements for the identity of donors to the Florida Endowment Foundation for Florida's Graduates; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

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By the Committee on General Government Appropriations and Representative K. Pruitt and others—

**HB 2099**—A bill to be entitled An act relating to state moneys; amending s. 216.167, F.S.; requiring the Governor's recommended budget and revenues to include estimates of the Budget Stabilization Fund; amending s. 215.32, F.S.; revising the funds into which all moneys received by the state must be deposited and within which they must be accounted for; specifying the manner of dividing such moneys into such funds; specifying the use and investment of moneys in such funds; repealing s. 212.081(3), F.S., relating to legislative intent on certain moneys available in excess of general revenue needs that accrue to the Working Capital Fund, and amending ss. 216.221 and 252.37, F.S., relating to the financing of deficits and emergencies, to conform; amending ss. 265.51 and 265.55, F.S.; restricting authority of the Department of State to make agreements to indemnify for certain losses relating to items of artistic or historical value, and of the Comptroller to pay such claims, to specific appropriations for that purpose, to conform; providing an effective date.

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

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

**CS for HB 3171**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the application of the exemption for labor charges for the maintenance and repair of certain aircraft; providing an exemption for replacement engines, parts, and equipment used in the repair or maintenance of certain aircraft; providing an exemption for the sale or lease of certain aircraft for use by a common carrier; providing an effective date.

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

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By Representative Thrasher and others—

**HB 3239**—A bill to be entitled An act relating to securities transactions; amending s. 517.021, F.S.; revising certain definitions; amending s. 517.051, F.S.; specifying additional securities as exempt from certain registration requirements; specifying priority of application; amending s. 517.061, F.S.; clarifying the exemption of certain securities in certain transactions from registration requirements; specifying additional transactions as exempt from certain registration requirements; amending ss. 517.081, 517.082, and 517.12, F.S.; authorizing the Department of Banking and Finance to adopt certain rules for electronic deposits and filings; correcting a cross reference; including certain notice filing requirements within application of certain registration provisions; requiring certain dealers to comply with net capital and ratio requirements; providing application; creating s. 517.1201, F.S.; specifying notice filing requirements for federal covered advisers; prohibiting certain activities; providing for certain fees; authorizing the Department of Banking and Finance to adopt rules; providing for permits for certain purposes;

amending ss. 517.1205 and 517.131, F.S.; including federal covered advisers within application of certain registration requirements; amending s. 517.161, F.S.; specifying additional conditions for denial, revocation, restriction, or suspension of certain registrations; amending s. 517.302, F.S.; providing for additional uses of moneys in the Anti-Fraud Trust Fund; amending s. 517.311, F.S.; clarifying application of false representation and deceptive words prescriptions to notice filings; providing an appropriation; providing an effective date.

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

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By the Committee on Community Affairs and Representative Gay—

**CS for HB 3287**—A bill to be entitled An act relating to affordable housing; amending s. 420.0005, F.S.; clarifying application of certain provisions to the State Housing Fund; amending s. 420.0006, F.S.; specifying an additional requirement for contracts with the Florida Housing Finance Corporation; providing duties of the Comptroller relating to certain advances to the corporation; amending s. 420.503, F.S.; clarifying application to the corporation's fiscal year; amending s. 420.504, F.S.; providing for alternative public notice; providing the corporation is an instrumentality of the state; deleting a definition; amending s. 420.5061, F.S.; declaring the corporation a state agency for certain purposes; providing that the corporation may provide infrastructure improvements; amending s. 420.507, F.S.; including services within certain procurement requirement provisions; authorizing the corporation to mortgage certain property; deleting a budget limitation on certain programs; providing additional powers of the corporation; amending s. 420.5087, F.S.; clarifying application of the state fiscal year; amending s. 420.5088, F.S.; expanding availability of certain program funds; amending s. 420.5089, F.S.; deleting a requirement for certain program fund loan commitments under certain circumstances; amending s. 420.509, F.S.; clarifying application of provisions for public sale of corporation bonds; amending s. 420.511, F.S.; revising requirements for the corporation's business plan for affordable housing; amending s. 420.512, F.S.; limiting application of a term for certain purposes; amending s. 420.528, F.S.; clarifying application to the corporation's fiscal year; amending s. 420.9071, F.S.; correcting a cross reference; clarifying application to the corporation's fiscal year; amending ss. 420.9073 and 420.9079, F.S.; clarifying application to the state fiscal year; repealing s. 420.504(8), F.S., relating to certain liability of members of the board of directors of the corporation; providing an effective date.

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

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By Representative Barreiro and others—

**HB 3407**—A bill to be entitled An act relating to courses of study; amending s. 233.061, F.S.; including the study of Hispanic and Women's contributions to the United States in required public school instruction; providing an effective date.

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

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By the Committees on Education Appropriations; Community Colleges and Career Prep; and Representative Sindler and others—

**CS for HB 4131**—A bill to be entitled An act relating to postsecondary education; amending s. 229.551, F.S., relating to educational management; revising responsibilities of the Commissioner of Education and the Articulation Coordinating Committee; revising provisions relating to the offering of certain courses; providing for the classifying of degree vocational education programs; amending s. 229.8075, F.S., relating to the Florida Education and Training Placement Information Program; requiring job retention data; amending s. 236.081, F.S.; removing reference to funding for the co-enrollment of secondary students; amending s. 239.105, F.S.; revising and adding definitions relating to adult and vocational education; amending s. 239.115, F.S., relating to funds for operation of adult general education and vocational education programs; revising provisions relating to workforce development education programs; changing the name of the associate in applied technology degree to the applied technology diploma; revising funding for adults with disabilities; revising provisions relating to funding through the Workforce Development Education Fund; providing duties relating to workforce

development programs and funding; providing for use of funds; creating the Workforce Development Capitalization Incentive Grant Program and providing requirements; requiring audits and reviews of workforce development programs; amending s. 239.117, F.S.; revising provisions relating to postsecondary student fees; conforming provisions; revising certain requirements relating to student fee exemptions; revising provisions relating to fee schedules; amending s. 239.213, F.S., relating to vocational-preparatory instruction; deleting obsolete language; amending s. 239.229, F.S., relating to vocational standards; conforming provisions; amending s. 239.233, F.S.; requiring job retention data; amending s. 239.249, F.S., relating to performance-based funding for vocational and technical programs; amending s. 239.301, F.S.; revising adult general education provisions; amending s. 240.115, F.S.; providing for the statewide articulation of workforce development coursework and certain degree programs; requiring the Articulation Coordinating Committee to establish standards; amending s. 240.301, F.S., relating to mission and responsibilities of community colleges; conforming provisions; amending s. 240.35, F.S., relating to community college student fees; clarifying the inclusion of college-preparatory fee requirements; providing for fees relating to degree career education programs; revising certain requirements relating to student fee exemptions; revising provisions relating to the use of financial aid fee revenues; amending s. 240.359, F.S.; providing for the funding of college-preparatory programs and certain degree programs through the community college program fund; amending s. 246.013, F.S., relating to participation in the common course designation and numbering system; revising certain requirements; requiring timely review of course inclusion and maintenance; amending s. 446.052, F.S., relating to preapprenticeship programs; conforming to the duties of the Division of Workforce Development; requiring the State Board of Community Colleges and the Commissioner of Education to investigate specified issues; providing duties of the commissioner, the Jobs and Education Partnership, the State Board of Community Colleges, and the Board of Regents; requiring establishment of an Employment Task Force for Adults with Disabilities and providing duties; providing effective dates.

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

By Representative Bainter—

**HM 1443**—A memorial to the Congress of the United States urging that unemployment insurance administration and financing responsibilities be turned over to the states.

—was referred to the Committee on Rules and Calendar.

By the Committee on Transportation and Representative Fuller and others—

**HM 1811**—A memorial to the Congress of the United States, urging that in the reauthorization of the Intermodal Surface Transportation Efficiency Act an allocation method be adopted which provides for a more equitable distribution of federal transportation funds to all states, including “donor states” like Florida.

—was referred to the Committee on Rules and Calendar.

**RETURNING MESSAGES ON HOUSE BILLS**

The Honorable Toni Jennings, President

I am directed to inform the Senate that the Speaker has appointed the following Representatives to the Appropriations Conference Committee on HB 4201, HB 4203, HB 4205, HB 4207, HB 4209, HB 4211, HB 4213, HB 4215, and HB 4217: Representative Garcia, House Chairman, Representative Ritchie, House Vice Chairman; Representatives Flanagan, King, Posey, Ritchie, and Roberts-Burke, Members at large; Representatives Villalobos (chair), Meek, Melvin, Bainter (alternate), and Crady (alternate), Criminal Justice Appropriations; Representatives Merchant (chair), Bradley, Feeney, Livingston, Reddick, Smith, Minton (alternate), and Valdes (alternate), Transportation and Economic Development Appropriations; Representatives K. Pruitt (chair), Barreiro, Mackey, Morse, Lawson, Bronson (alternate), and Eggelletion (alternate), General Government Appropriations; Representatives Sanderson (chair), Clemons, Hafner, Jones, Lacasa, Littlefield, Logan, Albright (alternate), and Dennis (alternate), Health and Human Services Appropriations; Representatives Sublette (chair), Boyd, Chestnut, Constan-

tine, Warner, Wasserman Schultz, Wise, Culp (alternate), Lynn (alternate), and Turnbull (alternate), Education Appropriations.

*John B. Phelps, Clerk*

**APPOINTMENT OF SENATE APPROPRIATIONS CONFERENCE COMMITTEE**

The President announced the appointment of Senator Sullivan, Chairman; Subcommittee A: Senator Childers, Chairman; General Government: Senators Bronson, Casas, Latvala and Thomas; and alternate, Senator Jones; Economic Development and Transportation: Senators Hargrett, Harris, Lee and Williams; and alternate, Senator Laurent; Subcommittee B, Education: Senator Horne, Chairman; Senators Clary, Cowin, Diaz-Balart, Grant, Holzendorf, Kirkpatrick and Scott; and alternates, Senators Klein and Turner; Subcommittee C, Human Services: Senator Myers, Chairman; Senators Bankhead, Brown-Waite, Kurth, McKay and Rossin; and alternate, Senator Forman; Subcommittee D, Criminal Justice: Senator Silver, Chairman; Senators Crist, Gutman and Meadows; and alternate, Senator Campbell; At Large: Senator Dudley, Vice Chairman; Senator Burt, Majority Leader; Senator Dyer, Minority Leader; as conferees on **HB 4201, HB 4203, HB 4207, HB 4211** and **HB 4215**; and **HB 4205, HB 4209, HB 4213** and **HB 4217**.

The action of the Senate was certified to the House.

**RETURNING MESSAGES—FINAL ACTION**

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed SB 8, SB 22, SB 26, SB 30, SB 32, SB 34, SB 36, SB 40, SB 52, SB 54, SB 56, SB 60 and SB 70.

*John B. Phelps, Clerk*

The bills contained in the foregoing message were ordered enrolled.

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS for HB 1005, as amended.

*John B. Phelps, Clerk*

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of March 25 was corrected and approved.

**CO-SPONSORS**

Senators Campbell—SB 2250; Childers—SB 1814; Clary—SB 2484; Cowin—SB 1646; Forman—SB 1584, SR 2130; Geller—SB 1828; Gutman—SB 1646; Harris—SB 1758, SB 2088; Horne—SB 258, SB 1646; Klein—SB 1882; Latvala—CS for SB 904, SB 1646; Meadows—SB 228, SB 1646; Thomas—SR 2360; Turner—SB 736, SB 1646, SB 2060, SB 2524

**RECESS**

On motion by Senator Bankhead, the Senate recessed at 12:03 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:00 p.m., Thursday, April 2.

**SENATE PAGES**

March 30-April 3

Clay B. Adkinson, De Funiak Springs; Scott Brannon, Freeport; Arthur Lee Brown, Jr., Delray Beach; Brian Coggins, Leesburg; Will Elmore, Plantation; Tom Hayes, Plantation; Laura Anne Heiselman, Orlando; Imani D. Hope, Orlando; Carolle Marie Huff, Gainesville; Jermaine Ivery, Boynton Beach; Elizabeth Luis, Miami; Sarah May, Bradenton; Meredith McKay, Bradenton; Jamie Spencer, Coral Gables; Brandy A. Sweeney, Oviedo; Jonen (Mufyn) Watts-Lynn, Orlando; Melinda Wimbish, Sanford