



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President Jennings at 10:00 a.m. A quorum present—37:

Madam President	Diaz-Balart	Klein	Saunders
Bronson	Dyer	Kurth	Scott
Brown-Waite	Forman	Latvala	Sebesta
Burt	Geller	Laurent	Silver
Campbell	Grant	Lee	Sullivan
Carlton	Hargrett	McKay	Thomas
Casas	Holzendorf	Meek	Webster
Childers	Horne	Mitchell	
Clary	Jones	Myers	
Dawson-White	King	Rossin	

Excused: Senators Cowin, Gutman and Kirkpatrick

## PRAYER

The following prayer was offered by Rev. Gene White, Pastor, Skycrest Baptist Church, Clearwater:

Father, we thank you for this beautiful day you have made. We thank you, Lord, for the very life that you give us. I pray, Father, for each one here. I lift them up to you. I pray, Father, that you would bless them, bless their homes.

Lord, I pray they would be true to what is right, that they would do, Lord, what they know is right in their hearts. Lord, that they would not only be responsible but, Father, this would be their way of accountability to you.

Lord, we thank you for all of the talents and abilities that you give us. Father, we are humbled when we consider the responsibilities that we have. I pray that you would bless, not only in what they do today but, Father, how to do it. I pray this in Jesus' name. Amen.

## PLEDGE

Senate Pages Michael Adams of Jacksonville and Bridgette Boody of Valrico, led the Senate in the pledge of allegiance to the flag of the United States of America.

## ADOPTION OF RESOLUTIONS

At the request of Senator Forman—

By Senator Forman—

**SR 2334**—A resolution commending the Freemasons and Jacque A. Couture, for their contributions to this state.

WHEREAS, Freemasonry began in medieval times and has been organized since the 18th century, and

WHEREAS, Freemasonry was transplanted to the American colonies by English and Irish Masons during the early decades of the 18th century, and, as early as 1734, Benjamin Franklin was the Grand Master of Masons in Pennsylvania, and

WHEREAS, Jacque A. Couture currently serves as Grand Master of Masons of Florida and is the leader of tens of thousands of Florida Masons and hundreds of thousands of Masons from across the country and around the world who sojourn in this state, and

WHEREAS, Jacque A. Couture has also been recognized for service to his community in several capacities outside of Freemasonry, and

WHEREAS, Jacque A. Couture has served the Masonic bodies since he was raised to the degree of Master Mason on July 31, 1972, and

WHEREAS, Jacque A. Couture has served his fellow man in various capacities within the Masonic bodies of this state, including active membership in Composite Lodge No. 293, where he served as Worshipful Master; Orlando York Rite Bodies and Scottish Rite Bodies, Valley of Orlando; Bahia Temple, A.A.O.N.M.S.; Orlando High Twelve No. 635; and Composite Chapter No. 305, O.E.S., and

WHEREAS, Jacque A. Couture has served the youth in his community through years of service to the Order of DeMolay, including serving as Chapter Dad for Bahia Chapter, and currently is an honorary member of the International Supreme Council of DeMolay, and

WHEREAS, Jacque A. Couture has served the Grand Lodge of Florida in several capacities before being elected Grand Master, including as District Deputy Grand Master of the 16th Masonic District, Junior Grand Steward, Junior Grand Deacon, and Junior Grand Warden, and

WHEREAS, it is fitting and appropriate that the Florida Senate pause in its deliberations to honor the Freemasons and Jacque A. Couture for their contributions to this state, NOW, THEREFORE,

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

That the Florida Senate commends the Freemasons of Florida and Jacque A. Couture for their contributions to this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Jacque A. Couture, Grand Master of Masons of Florida, as a tangible token of the sentiments of the Florida Senate.

—**SR 2334** was introduced, read and adopted by publication.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator McKay, by two-thirds vote **SB 1924** was withdrawn from the Committees on Education; Governmental Oversight and

Productivity; and Fiscal Policy; and referred to the Committees on Governmental Oversight and Productivity; Education; and Fiscal Policy.

### MOTIONS

On motion by Senator McKay, a deadline of 5:00 p.m. Tuesday, March 23, was set for filing amendments to Bills on Third Reading to be considered Wednesday, March 24.

On motion by Senator McKay, a deadline of 12:00 noon, Wednesday, March 24, was set for filing amendments to the general appropriation bills to be considered Thursday, March 25.

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 3, 4, and 5, amended Senate Amendment 7 and concurred in same as amended, refused to concur in Senate Amendment 2 and requests that the Senate recede, and passed CS for CS for HB 113 as further amended, and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

**CS for CS for HB 113**—A bill to be entitled An act relating to punishment of felons; amending s. 775.087, F.S., relating to felony reclassification and minimum sentence and other penalties for offenders who committed aggravated battery or committed certain acts involving a weapon, firearm, or destructive device during the commission of a felony; conforming terminology to changes made by the act; increasing from 3 to 10 years the minimum prison term for certain felonies or attempted felonies under specified circumstances when the offender possessed a firearm or destructive device during the commission of the offense or flight therefrom; providing exceptions; revising the category of such offenses to include murder, sexual battery, robbery, burglary, arson, aggravated assault or aggravated battery, kidnapping, escape, aircraft piracy, aggravated child abuse, aggravated abuse of an elderly person or disabled adult, unlawful throwing, placing, or discharging of a destructive device or bomb, carjacking, home-invasion robbery, aggravated stalking, and trafficking in cannabis, trafficking in cocaine, capital importation of cocaine, trafficking in illegal drugs, capital importation of illegal drugs, trafficking in phencyclidine, capital importation of phencyclidine, trafficking in methaqualone, capital importation of methaqualone, trafficking in amphetamine, trafficking in flunitrazepam, or other specified violation of s. 893.135(1), F.S.; providing for imposition of a 20-year minimum term of imprisonment when, in addition to such circumstances, the firearm or destructive device was discharged while the person was carrying, displaying, using, or threatening or attempting to use the firearm or destructive device; providing for imposition of a minimum term of imprisonment of not less than 25 years and not more than a term of imprisonment of life in prison when, in further addition to such circumstances, the discharging of the firearm or destructive device resulted in infliction of death or great bodily harm upon any person; providing for construction; providing legislative intent with respect to punishment of offenders who possess, carry, display, use, or threaten or attempt to use firearms or destructive devices; providing imposition of the minimum term of imprisonment consecutive to any other term of imprisonment imposed; providing that the minimum term of imprisonment imposed is authorized by law regardless of the maximum sentence that may be imposed for the underlying felony; increasing from 8 to 15 years the minimum prison term for certain felonies or attempted felonies under specified circumstances when, during the commission of the offense, the offender possessed a semiautomatic firearm and its high-capacity detachable box magazine or a machine gun; providing for the category of such offenses to include murder, sexual battery, robbery, burglary, arson, aggravated assault, aggravated battery, kidnapping, escape, aircraft piracy, aggravated child abuse, aggravated abuse of an elderly person or disabled adult, unlawful throwing, placing, or discharging of a destructive device or bomb, carjacking, home-invasion robbery, aggravated stalking, and trafficking in cannabis, trafficking in cocaine, capital importation of cocaine, trafficking in illegal drugs, capital importation of illegal drugs, trafficking in phencyclidine, capital importation of phencyclidine, trafficking in methaqualone, capital importation of methaqualone, trafficking in amphetamine, capital importation of amphetamine, trafficking in

flunitrazepam, or other specified violation of s. 893.135(1); providing for imposition of a 20-year minimum term of imprisonment when, in addition to such circumstances, the semiautomatic firearm and its high-capacity detachable box magazine or a machine gun was discharged while the person was carrying, displaying, using, or threatening or attempting to use the semiautomatic firearm and its high-capacity detachable box magazine or a machine gun; providing for imposition of a minimum term of imprisonment of not less than 25 years and not more than a term of imprisonment of life in prison when, in further addition to such circumstances, the discharging of the semiautomatic firearm and its high-capacity detachable box magazine or a machine gun resulted in infliction of death or great bodily harm upon any person; providing for construction; providing legislative intent with respect to punishment of offenders who possess, carry, display, use, or threaten or attempt to use a semiautomatic firearm and its high-capacity detachable box magazine or a machine gun; providing for imposition of the minimum term of imprisonment consecutive to any other term of imprisonment imposed; providing that the minimum term of imprisonment imposed is authorized by law regardless of the maximum sentence that may be imposed for the underlying felony; providing for legislative policy and intent; providing for a report; requiring the state attorney to explain mandatory sentence deviations in writing; requiring state attorneys to submit such writings to its association where it must remain available to the public for not less than 10 years; reenacting s. 921.0022(2), F.S., relating to the Criminal Punishment Code offense severity ranking chart, s. 921.0024(1)(b), F.S., relating to Florida Criminal Punishment Code worksheet computations and key, and s. 947.146(3)(b), F.S., relating to Control Release Authority, to incorporate said amendment in references; providing for public service announcements with respect to the penalties provided in the act; providing an effective date.

**House Amendment 1 to Senate Amendment 7**—On page 1, lines 18-20, remove from the bill: all of said lines and insert in lieu thereof: *officer or to United States Military Personnel who are performing his or her lawful duties or who is traveling to or from his or her place of employment or assignment to*

On motion by Senator Webster, the Senate refused to concur in **House Amendment 1 to Senate Amendment 7** and the House was requested to recede; and refused to recede from **Senate Amendment 2 to CS for CS for HB 113** and again requested that the House concur. The action of the Senate was certified to the House.

The vote was:

Yeas—35

Madam President	Dawson-White	King	Rossin
Bronson	Diaz-Balart	Klein	Saunders
Brown-Waite	Dyer	Kurth	Scott
Burt	Forman	Latvala	Sebesta
Campbell	Geller	Laurent	Silver
Carlton	Grant	Lee	Sullivan
Casas	Hargrett	Meek	Thomas
Childers	Holzendorf	Mitchell	Webster
Clary	Horne	Myers	

Nays—1

Jones

### BILLS ON THIRD READING

**CS for CS for SB 908**—A bill to be entitled An act relating to the Florida Forever Program; creating s. 259.202, F.S.; creating the Florida Forever Act; providing legislative findings; prohibiting the use of certain funds in the Conservation and Recreation Lands and Water Management Lands Trust Funds for land acquisition; providing for the proceeds of bond sales to be deposited into the Florida Forever Trust Fund; providing for the distribution and use of funds; providing project criteria for land acquisition under the Florida Forever Program; requiring increased priority for the acquisition of lands providing protection of certain threatened or endangered species; providing procedures for determining the priority of projects; establishing procedures for the disposition of lands; authorizing alternate uses of acquired lands; providing a limitation on alternate uses; encouraging and requiring the use of alternatives to fee simple acquisition of lands; requiring increased priority for a project if matching funds are available; requiring increased priority if

the project is priced below appraised value; amending s. 201.15, F.S.; authorizing the use of revenues for the debt service on bonds; revising the distribution of proceeds from the excise tax on documents; creating s. 215.618, F.S.; providing for the issuance of Florida Forever bonds; providing limitations; providing procedures and legislative intent; amending s. 253.027, F.S.; providing for the reservation of funds; revising the criteria for expenditures for archaeological property to include lands on the acquisition list for the Florida Forever Program; amending s. 253.034, F.S., relating to uses of state-owned lands; authorizing additional uses of state lands under specified circumstances; conforming cross-references to changes made by the act; conforming provisions; amending s. 259.032, F.S.; authorizing the Florida Forever Commission to allocate funds for land acquisition; emphasizing protection of endangered and threatened species; conforming a cross-reference; conforming provisions; requiring the adoption of a management plan within a specified period after the acquisition of a parcel under the Florida Forever Program; providing a restriction on funding for an agency with overdue management plans; providing a formula and funding source for funding management, maintenance, capital improvements, and payments in lieu of taxes; providing funds for the control of exotic species; providing funds for lake restoration from the State Game Trust Fund; specifying eligible lands; providing for the distribution of funds; revising the criteria and eligibility for payments in lieu of taxes; limiting the total consecutive years of such payments; providing for the deletion of certain property from an acquisition list; deleting obsolete provisions; amending s. 259.035, F.S.; revising the membership of the Land Acquisition and Management Advisory Council and renaming the council as the Florida Forever Commission; revising its duties; requiring the development of goals and a report; amending s. 259.036, F.S.; conforming provisions; providing a cross-reference; amending s. 338.250, F.S.; providing for certain mitigation funds to be used in coordination with funds from the Florida Forever Trust Fund; amending s. 373.59, F.S.; requiring a report to the Florida Forever Commission; providing a process for releasing funds for water resource development and land acquisition projects; deleting provisions authorizing the use of specified funds for debt service on bonds issued pursuant to s. 373.584, F.S.; requiring payment of debt service before other uses of funds; providing due dates for required management plans; revising the criteria and eligibility for payments in lieu of taxes; requiring that payments be made in consecutive years; amending s. 380.503, F.S.; providing definitions; amending s. 380.504, F.S.; revising the membership of the governing body of the Florida Communities Trust within the Department of Community Affairs; conforming outdated provisions; amending s. 380.507, F.S.; authorizing the development of rules; amending ss. 420.5092, 420.9073, F.S., relating to affordable housing programs; conforming cross-references to changes made by the act; repealing s. 373.584, F.S., relating to revenue bonds; providing that the repeal of s. 373.584, F.S., does not impair the validity of certain bonds outstanding on the effective date of the act; requiring reinstatement of payments in lieu of taxes in specified circumstances; providing an educational program; creating the Florida Forever Advisory Council on Ecosystem Restoration Education; providing an effective date.

—as amended March 16 was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 908** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Madam President	Diaz-Balart	Klein	Saunders
Bronson	Dyer	Kurth	Scott
Brown-Waite	Forman	Latvala	Sebesta
Burt	Geller	Laurent	Silver
Campbell	Grant	Lee	Sullivan
Carlton	Hargrett	McKay	Thomas
Casas	Holzendorf	Meek	Webster
Childers	Horne	Mitchell	
Clary	Jones	Myers	
Dawson-White	King	Rossin	
Nays—None			

**SB 906**—A bill to be entitled An act relating to the Florida Forever Trust Fund; creating s. 375.046, F.S.; creating the Florida Forever Trust Fund; providing its purposes; providing a contingent effective date.

—as amended March 16 was read the third time by title.

On motion by Senator Latvala, **SB 906** as amended was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—37

Madam President	Diaz-Balart	Klein	Saunders
Bronson	Dyer	Kurth	Scott
Brown-Waite	Forman	Latvala	Sebesta
Burt	Geller	Laurent	Silver
Campbell	Grant	Lee	Sullivan
Carlton	Hargrett	McKay	Thomas
Casas	Holzendorf	Meek	Webster
Childers	Horne	Mitchell	
Clary	Jones	Myers	
Dawson-White	King	Rossin	
Nays—None			

**SB 904**—A bill to be entitled An act creating the Surface Water Improvement and Management Trust Fund; providing its purposes; providing a conditional effective date.

—as amended March 16 was read the third time by title.

On motion by Senator Latvala, **SB 904** as amended was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

Madam President	Dawson-White	Jones	Myers
Bronson	Diaz-Balart	Klein	Rossin
Brown-Waite	Dyer	Kurth	Saunders
Burt	Forman	Latvala	Scott
Campbell	Geller	Laurent	Sebesta
Carlton	Grant	Lee	Silver
Casas	Hargrett	McKay	Sullivan
Childers	Holzendorf	Meek	Thomas
Clary	Horne	Mitchell	Webster
Nays—None			

**HB 1515**—A bill to be entitled An act relating to water pollution operation permits; amending s. 403.088, F.S.; permitting rather than requiring specified water pollution operation permits to comply with an accompanying order; authorizing the issuance of an order for the interim construction, operation, and maintenance of specified facilities under certain conditions; providing procedure; providing for hearing; specifying the time of commencement of such hearing; requiring denial or approval of such interim construction, operation, or maintenance within a specified time limit; providing for the period of effect of the order; providing an effective date.

—was read the third time by title.

On motion by Senator Bronson, **HB 1515** was passed and certified to the House. The vote on passage was:

Yeas—37

Madam President	Clary	Holzendorf	Lee
Bronson	Dawson-White	Horne	McKay
Brown-Waite	Diaz-Balart	Jones	Meek
Burt	Dyer	King	Mitchell
Campbell	Forman	Klein	Myers
Carlton	Geller	Kurth	Rossin
Casas	Grant	Latvala	Saunders
Childers	Hargrett	Laurent	Scott

Sebesta Sullivan Thomas Webster  
Silver  
Nays—None

**SB 192**—A bill to be entitled An act relating to petroleum contamination site rehabilitation; repealing s. 376.30713(7), F.S.; abrogating the scheduled repeal of the preapproved advanced cleanup program; providing an effective date.

—was read the third time by title.

On motion by Senator Bronson, **SB 192** was passed and certified to the House. The vote on passage was:

Yeas—33

Madam President	Dyer	Latvala	Scott
Bronson	Forman	Laurent	Sebesta
Burt	Geller	Lee	Silver
Campbell	Grant	McKay	Sullivan
Carlton	Hargrett	Meek	Thomas
Casas	Holzendorf	Mitchell	Webster
Childers	King	Myers	
Clary	Klein	Rossin	
Diaz-Balart	Kurth	Saunders	

Nays—None

**CS for CS for SB 306**—A bill to be entitled An act relating to land management; amending s. 259.032, F.S.; providing for the use of Conservation and Recreation Lands funds to manage additional lands; authorizing the use of certain equipment on conservation and recreation lands; amending s. 372.57, F.S.; providing for an exemption to the recreational user permit fee; providing an effective date.

—as amended March 16 was read the third time by title.

On motion by Senator Bronson, **CS for CS for SB 306** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Madam President	Dawson-White	King	Myers
Bronson	Diaz-Balart	Klein	Rossin
Brown-Waite	Dyer	Kurth	Saunders
Burt	Forman	Latvala	Scott
Campbell	Geller	Laurent	Sebesta
Carlton	Grant	Lee	Silver
Casas	Hargrett	McKay	Sullivan
Childers	Holzendorf	Meek	Thomas
Clary	Jones	Mitchell	Webster

Nays—None

Consideration of **SB 8** was deferred.

**SPECIAL ORDER CALENDAR**

On motion by Senator Brown-Waite—

**CS for CS for SB 1468**—A bill to be entitled An act relating to statewide drug control; providing definitions; providing legislative intent and findings with respect to the need to address the problem of substance abuse in this state and the development of a state drug-control strategy; creating the Office of Drug Control within the Executive Office of the Governor; providing for the office to be headed by a director appointed by the Governor, subject to Senate confirmation; providing purpose and duties of the Office of Drug Control; requiring the director of the Office of Drug Control to report annually to the Governor and Legislature; creating the Statewide Drug Policy Advisory Council within the Executive Office of the Governor; providing for membership of the advisory council; providing for terms of office; providing for payment of per diem and travel expenses; providing duties of the advisory council; requiring that the advisory council make recommendations to

the Governor and Legislature for developing and implementing a state drug-control strategy; requiring that the advisory council make recommendations for funding programs and services; providing other duties of the advisory council; authorizing the chairperson of the advisory council to appoint workgroups; requiring an annual report; amending s. 397.821, F.S., relating to juvenile substance abuse impairment prevention and early intervention councils; conforming provisions to changes made by the act; repealing ss. 397.801(1), 397.811(2), F.S., relating to the Statewide Coordinator for Substance Abuse Impairment Prevention and Treatment; providing an appropriation; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1468** was placed on the calendar of Bills on Third Reading.

**SPECIAL GUEST**

The President introduced James “Jim” McDonough, Director, Florida Drug Control Policy, who was present in the chamber.

On motion by Senator Rossin—

**CS for CS for SB 94**—A bill to be entitled An act relating to driving or boating under the influence; amending s. 316.193, F.S.; increasing the penalty imposed for a fourth or subsequent conviction of driving under the influence; increasing the penalties imposed for driving under the influence and causing damage to property valued over a specified amount; increasing the penalties imposed for causing serious bodily injury while driving under the influence; providing that it is a first-degree felony to cause the death of another while driving under the influence; revising a blood-alcohol or breath-alcohol level; deleting provisions that impose an enhanced penalty if a person has caused the death of another while driving under the influence, knew or should have known that the accident occurred, and failed to give information and render aid; providing that previous convictions for boating under the influence are to be considered for purposes of penalties; amending s. 327.35, F.S.; revising the penalties for boating under the influence; amending s. 921.0022, F.S.; conforming the offense severity ranking chart to include the changes made by this act in felony degree for certain offenses relating to driving under the influence; revising a blood-alcohol or breath-alcohol level; deleting the ranking of driving under the influence manslaughter with a failure to render aid or give information to conform with changes made by this act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 94** was placed on the calendar of Bills on Third Reading.

On motion by Senator McKay—

**SB 168**—A bill to be entitled An act relating to driving under the influence of alcohol or drugs; amending s. 322.34, F.S.; providing that a motor vehicle is subject to forfeiture under the Florida Contraband Act if the motor vehicle is driven by a person under the influence of alcohol or drugs and the person’s license is suspended as a result of a prior conviction for driving under the influence; requiring that notification of the impoundment or seizure be sent to the Department of Highway Safety and Motor Vehicles; amending s. 932.701, F.S., relating to definitions with respect to the Florida Contraband Act; redefining the term “contraband article” to conform to changes made by the act; reenacting s. 932.703, F.S., relating to forfeiture of contraband articles, to incorporate the amendment to s. 932.701, F.S., in references; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 10, line 10, delete “July” and insert: October

The Committee on Transportation recommended the following amendments which were moved by Senator McKay and adopted:

**Amendment 2**—On page 2, line 1, delete “715.78” and insert: 713.78

**Amendment 3**—On page 2, delete lines 11-16 and insert: *forfeiture of the motor vehicle under this section, 30 percent of the net proceeds from the sale of the motor vehicle shall be retained by the seizing law enforcement agency and 70 percent shall be deposited in the the General Revenue Fund for use by local WAGES coalitions in providing transportation services for participants of the WAGES program. In a forfeiture proceeding under this section, the court may consider the extent that the family of the owner has other public or private means of transportation.*

Pursuant to Rule 4.19, **SB 168** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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On motion by Senator Hargrett—

**CS for SB 156**—A bill to be entitled An act relating to the prevention of the sale of alcohol and tobacco products to minors; amending s. 562.11, F.S., relating to the purchase of alcohol by minors; amending s. 562.45, F.S.; providing restrictions on locations for on-premises consumption of alcoholic beverages; amending s. 569.11, F.S., relating to the purchase of tobacco products by minors; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 156** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Brown-Waite—

**CS for SB 60**—A bill to be entitled An act relating to pretrial intervention programs; amending s. 948.08, F.S.; authorizing the court to deny the admission of a defendant to a pretrial substance-abuse education and treatment intervention program if the defendant has rejected any prior offer of admission to such program; providing an effective date.

—was read the second time by title.

Senator Brown-Waite moved the following amendment:

**Amendment 1 (with title amendment)**—On page 1, delete lines 24-28 and insert: or the court’s own motion, *except*:

1. *If a defendant was previously offered admission to a pretrial substance abuse education and treatment intervention program and the defendant rejected that offer on the record at least 30 days after the date of the defendant’s arraignment for the same charge, then the court or the state attorney may deny the defendant’s admission to such a program.*

2. If the state attorney believes

And the title is amended as follows:

On page 1, line 8, after “program” insert: within a certain time period

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

**Amendment 1A (with title amendment)**—On page 1, delete lines 20-23 and insert: *intervention program at any time prior to trial and the defendant rejected that offer on the record, then the court or the state attorney may deny the defendant’s admission to such a program.*

And the title is amended as follows:

On page 1, line 28 through page 2, line 1, delete those lines.

**Amendment 1** as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 60** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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On motion by Senator Bronson—

**SB 138**—A bill to be entitled An act relating to guidelines for fair treatment of victims and witnesses in the justice system; amending s.

960.001, F.S.; allowing specified state agencies to participate in crime prevention and educational activities; providing for use of funds appropriated for prevention activities; providing an effective date.

—was read the second time by title.

The Committee on Governmental Oversight and Productivity recommended the following amendment which was moved by Senator Bronson and adopted:

**Amendment 1 (with title amendment)**—On page 2, delete lines 6-9 and insert: *identified in this subsection may participate in and expend funds for crime prevention, public awareness, public participation, and educational activities.*

And the title is amended as follows:

On page 1, line 8, delete “appropriated for prevention activities”

Pursuant to Rule 4.19, **SB 138** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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On motion by Senator Brown-Waite—

**CS for SB 166**—A bill to be entitled An act relating to operations of law enforcement agencies; providing definitions; providing that it is a third-degree felony to contact or communicate with any person who is directly involved in a tactical operation of a law enforcement agency during the course of the operation; providing that it is a third-degree felony to authorize a broadcast or telecast of any recording or depiction of a tactical operation of a law enforcement agency during the course of the operation; authorizing contact or communication with a person involved in such tactical operation and broadcast or telecast of such tactical operation upon the approval of the head of the law enforcement agency having jurisdiction over such tactical operation; requiring that a law enforcement agency inform the public of the conclusion of such tactical operation; encouraging the development of a protocol; providing that the absence of a protocol does not create a defense to prosecution; providing that the act does not affect the prosecution of any violation of law; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 166** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Campbell—

**SB 72**—A bill to be entitled An act relating to homicide; amending ss. 782.071, 782.072, F.S.; increasing the penalties imposed for committing the offense of vehicular homicide or vessel homicide; increasing the penalties imposed for committing vehicular homicide or vessel homicide and failing to give information and render aid when the offender knew, or should have known, that the accident occurred; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; conforming references to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 72** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Brown-Waite—

**CS for SB 152**—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 nondosage forms to Schedule II; deleting references to gamma-hydroxybutyrate 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; reenacting ss. 39.01(30)(a) and (g), 440.102(11)(b), 458.326(3),

465.035(2), 766.101(3)(a), 817.563, 831.31, 856.015(1)(d), 893.02(4), 893.0356(2)(a), 893.08(1)(b), 893.12(2)(b), (c), and (d), 893.13(1), (2)(a), (4), (5)(a) and (b), and (7), and 921.0022(3)(b), (c), (d), (e), and (g), F.S., relating to child welfare, drug-free-workplace requirements, authorized medical treatment, the sale or possession of controlled substances, contraband, prohibited acts with respect to the sale and possession of controlled substances, and the Criminal Punishment Code, to incorporate the amendments to s. 893.03, F.S., in cross-references; amending s. 893.035, F.S., relating to the delegation of authority to the Attorney General to control substances by rule; conforming terminology to reflect the reorganization of the Department of Business and Professional Regulation and the creation of the Department of Health; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 152** was placed on the calendar of Bills on Third Reading.

### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, March 17, 1999: CS for CS for SB 1468, CS for CS for SB 94, SB 168, CS for SB 156, CS for SB 60, SB 138, CS for SB 166, SB 72, CS for SB 152

Respectfully submitted,  
*John McKay*, Chairman

The Committee on Banking and Insurance recommends the following pass: SB 872 with 1 amendment, SB 898 with 2 amendments

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: CS for SB 292 with 1 amendment, SB 668

The Committee on Natural Resources recommends the following pass: SB 934

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1218, SB 1300

The Committee on Criminal Justice recommends the following pass: SB 1028 with 1 amendment

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

The Committee on Criminal Justice recommends the following pass: SB 954 with 1 amendment, SB 1178

**The bills were placed on the calendar.**

The Committee on Natural Resources recommends a committee substitute for the following: SB 1142

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

The Committee on Natural Resources recommends a committee substitute for the following: SB 1250

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

The Committee on Natural Resources recommends committee substitutes for the following: SB 1384, SB 1434

**The bills with committee substitutes attached were referred to the Committee on Fiscal Resource under the original reference.**

The Committee on Natural Resources recommends committee substitutes for the following: SB 728, SB 1424

**The bills with committee substitutes attached were placed on the calendar.**

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

**SR 2412**—Not referenced.

By Senator Dyer—

**SB 2414**—A bill to be entitled An act relating to cultural organizations; amending s. 196.012, F.S.; amending the definition of the term “new business,” as used in ch. 196, F.S.; amending s. 196.1995, F.S.; providing an ad valorem tax exemption for new businesses comprising artistic and cultural improvements to real estate which are used for specified purposes; providing legislative recognition of the Central Florida Theatre Alliance; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Fiscal Resource.

By Senator Campbell—

**SB 2416**—A bill to be entitled An act relating to district managed care ombudsman committees; amending s. 641.65, F.S.; revising the membership of the committees; providing for travel expenses for committee members; requiring the Agency for Health Care Administration to provide facilities and administrative services for the committees; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Fiscal Policy.

By Senators Silver, Forman, Dyer, Geller, Klein, Dawson-White, Holzendorf, Casas, Scott and Latvala—

**SB 2418**—A bill to be entitled An act relating to public employee retirement systems; creating the Public Education Employees Portable Retirement Option within the Florida Retirement System; providing legislative purpose; providing definitions; providing for administration of the plan; providing for contributions; providing for eligibility; providing for readmission; providing for management; providing reporting requirements; providing legislative intent; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Fiscal Policy.

By Senator Latvala—

**SB 2420**—A bill to be entitled An act relating to brownfields redevelopment; amending s. 376.79, F.S.; redefining terms and defining the term “contaminant”; revising the application of definitions; amending s. 376.80, F.S.; clarifying that the person responsible for brownfield site rehabilitation must enter into a brownfield site rehabilitation agreement only if actual environmental contamination exists at the brownfield site; amending s. 376.81, F.S.; providing clarification that cleanup criteria do not constitute disposal or reuse criteria; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Latvala—

**SB 2422**—A bill to be entitled An act relating to trust funds; creating s. 215.5601, F.S.; creating the Lawton Chiles Endowment Fund for Children and Elders; providing definitions; providing legislative intent; specifying the purposes and uses of endowment funds; providing for administration of the endowment by the State Board of Administration; providing for the availability of endowment funds; providing appropriations; amending s. 215.52, F.S.; providing rulemaking authority; providing an effective date.

—was referred to the Committee on Fiscal Policy.

By Senator Silver—

**SB 2424**—A bill to be entitled An act relating to insurance; amending s. 626.916, F.S.; authorizing certain surplus lines insurers to remove and insure policies from the Florida Windstorm Underwriting Association under certain circumstances; amending s. 627.0629, F.S.; requiring insurers to provide certain discounts, credits, or other rate differentials in their rating manuals under certain circumstances; clarifying the application of certain discounts for mobile home owner's insurance rate filings; requiring insurers to implement certain discounts or rate differentials for mobile home insurance premiums; providing criteria; amending s. 627.351, F.S.; revising the provisions of Florida Windstorm Underwriting Association policies; amending s. 627.3511, F.S.; revising the conditions under which an insurer or agent may qualify for a bonus or exception from assessment with respect to the Residential Property and Casualty Joint Underwriting Association; creating s. 627.35115, F.S.; providing conditions, procedures, and criteria for the removal of policies from the Florida Windstorm Underwriting Association; establishing procedures regarding agent commissions for policies removed from the Florida Windstorm Underwriting Association; establishing requirements for renewal of policies removed from the Florida Windstorm Underwriting Association; amending s. 627.4091, F.S.; prohibiting insurers from canceling or nonrenewing residential policies without notice; providing requirements for such notice; amending s. 627.4133, F.S.; requiring insurers to offer coverage for certain replacement property under certain circumstances; creating s. 627.4138, F.S.; providing restrictions on cancellation or nonrenewal of residential coverage; amending s. 627.701, F.S.; increasing the value of a risk at which certain hurricane or wind loss deductible provisions apply; providing definitions governing the applicability of hurricane and wind loss deductible provisions; repealing s. 627.3511(5)(b), F.S., relating to conditions under which an insurer or agent may qualify for a bonus or exception from assessment with respect to the Residential Property and Casualty Joint Underwriting Association; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Fiscal Resource.

By Senator Rossin—

**SB 2426**—A bill to be entitled An act relating to legislative oversight of governmental programs; amending ss. 11.42, 11.45, F.S.; defining the term "operational audit"; revising the duties of the Auditor General; transferring the Division of Public Assistance Fraud from the Auditor General to the Department of Law Enforcement; transferring, renumbering, and amending s. 11.50, F.S.; conforming provisions to the transfer of the Division of Public Assistance Fraud; amending ss. 402.3015, 414.33, 414.34, 414.39, 414.40, 951.28, F.S.; conforming provisions to the transfer of the Division of Public Assistance Fraud; amending ss. 373.589, 195.096, 232.44, 946.516, 283.31, F.S.; revising the duties of the Auditor General; providing for audits by independent certified public accountants; amending ss. 944.719, 985.07, F.S.; transferring duties from the Auditor General to the Office of Program Policy Analysis and Government Accountability; amending ss. 11.511, 11.513, F.S.; revising the duties of the Office of Program Policy Analysis and Government Accountability; amending ss. 112.3187, 112.3188, 112.31895, F.S.; eliminating the Public Counsel's responsibilities associated with the Whistleblower's Act; amending s. 985.401, F.S.; providing for the composition of the Juvenile Justice Accountability Board; reassigning the board from the Joint Legislative Auditing Committee to the Department of Juvenile Justice; amending s. 218.502, F.S.; redefining the term "local governmental entity"; repealing s. 284.50(4), F.S., which provides for the Audi-

tor General to audit state agency loss-prevention programs; repealing s. 475.045(1)(f), F.S., which provides for the Auditor General to audit the financial transactions of the Florida Real Estate Commission Education and Research Foundation; repealing s. 985.07, F.S., which provides for the Auditor General to examine some information-sharing efforts; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Fiscal Policy.

**SR 2428**—Not referenced.

By Senator Mitchell—

**SB 2430**—A bill to be entitled An act relating to community college reporting requirements; amending ss. 282.005, 282.3031, 282.310, F.S., relating to Information Resources Management requirements; removing from local community colleges the obligation to fulfill certain reporting requirements that apply to state agencies; providing an effective date.

—was referred to the Committees on Education; and Governmental Oversight and Productivity.

By Senator Silver—

**SB 2432**—A bill to be entitled An act relating to regulation of professions and occupations; amending s. 455.564, F.S.; authorizing the Department of Health, if there is no regulatory board, to adopt rules to establish the criteria for continuing education courses required for renewal of a license; amending s. 455.624, F.S.; providing penalties for violation of continuing education requirements; providing an effective date.

—was referred to the Committee on Health, Aging and Long-Term Care.

By Senators Kirkpatrick and Horne—

**SB 2434**—A bill to be entitled An act relating to charter schools; amending s. 228.056, F.S.; providing a date for district school boards to receive charter school applications; providing for a Charter School Review Panel; providing membership; providing purpose and duties; providing for interdistrict transfer to a charter school under certain circumstances; authorizing municipal-sponsored charter schools to give enrollment preference to students residing within the limits of the sponsoring municipality; authorizing charter schools to be sponsored by municipalities or other public entities; providing information to be included in the charter of a charter school; providing for 15-year charters under specified circumstances; authorizing charter school governing boards to employ or contract with skilled selected noncertified personnel as provided in ch. 231, F.S., and as provided by rule of the State Board of Education; prohibiting a charter school from hiring certain persons who have resigned or have been dismissed for good cause; prescribing time limits for charter schools to receive federal funds; amending s. 228.057, F.S.; requiring school districts to report the number of students attending the various types of public schools according to the rules of the State Board of Education; providing an effective date.

—was referred to the Committees on Education and Fiscal Policy.

By Senator Latvala—

**SB 2436**—A bill to be entitled An act relating to transportation of public school students; amending s. 234.01, F.S.; providing responsibility of a parent or guardian with respect to a student's safe passage to and from a school bus stop; amending s. 234.021, F.S.; revising standards for determining when walking conditions are hazardous and transportation must be provided; providing responsibility of a parent or guardian with

respect to a student's safety when transportation is not provided by the school district; providing for audits; providing an effective date.

—was referred to the Committees on Education and Fiscal Policy.

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By Senator Latvala—

**SB 2438**—A bill to be entitled An act relating to health care providers; amending s. 455.654, F.S.; redefining the term "referral" as used in the Patient Self-Referral Act of 1992 to exclude the orders, recommendations, or plans by specified providers; providing an effective date.

—was referred to the Committee on Health, Aging and Long-Term Care.

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By Senator Meek—

**SB 2440**—A bill to be entitled An act relating to the state correctional system; creating s. 944.6125, F.S.; providing that certain women who are confined by the Department of Corrections should be given first consideration for placement at a correctional facility located within a reasonable distance from the residence of the minor child of the confined woman; providing for a child-friendly environment; providing for the application of the act; providing an effective date.

—was referred to the Committees on Criminal Justice and Fiscal Policy.

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By Senator Mitchell—

**SB 2442**—A bill to be entitled An act relating to the disposition of civil fines; authorizing a board of county commissioners to require by ordinance that a specified amount be withheld from each civil fine and used to fund traffic education and awareness programs; requiring that the ordinance provide for administering the withheld moneys; providing a contingent effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Transportation.

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By Senator Gutman—

**SB 2444**—A bill to be entitled An act relating to construction industry licensing; amending s. 468.609, F.S.; allowing technical education to count toward education and experience requirements for applicants to be licensed as building code inspectors or plans examiners; amending s. 469.001, F.S.; defining the terms "ASHARA" and "onsite supervisor"; amending s. 469.002, F.S.; specifying exemptions; amending s. 469.004, F.S.; providing license renewal and continuing education requirements; amending s. 469.005, F.S.; deleting an asbestos contractor/supervisor course requirement; amending s. 469.006, F.S.; providing criteria for asbestos contractors or consultants to qualify additional business organizations; amending s. 469.011, F.S.; conforming rulemaking authority; amending s. 469.012, F.S.; providing education requirements for asbestos contractors' onsite supervisors and workers; amending s. 469.013, F.S.; providing continuing education requirements for asbestos project designers; amending s. 489.511, F.S.; providing experience requirements for alarm system contractors; deleting obsolete provisions; providing that previously issued registered licenses are void upon the issuance of a certificate; amending s. 489.513, F.S.; requiring a certificate of competency to be licensed as an electrical or alarm system contractor; repealing provisions relating to tracking registration; amending s. 489.531, F.S.; deleting provisions relating to local licenses; providing an effective date.

—was referred to the Committees on Regulated Industries; and Comprehensive Planning, Local and Military Affairs.

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By Senator Klein—

**SB 2446**—A bill to be entitled An act relating to high school graduation requirements; amending s. 232.246, F.S.; establishing criteria for forgiving certain low grades; providing an effective date.

—was referred to the Committee on Education.

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By Senator Casas—

**SB 2448**—A bill to be entitled An act relating to the regulation of professions; amending s. 11.62, F.S.; revising considerations regarding decisions by the Legislature to regulate professions; amending s. 455.201, F.S.; prohibiting the adoption of any regulation that creates certain unreasonable effects on job creation or retention; creating s. 455.2123, F.S.; authorizing the use of distance learning for continuing education courses; creating s. 455.2124, F.S.; authorizing the prorating of continuing education requirements; amending s. 455.213, F.S.; requiring fingerprint cards to accompany certain applications; amending s. 455.225, F.S.; providing for the issuance of a notice of noncompliance to certain licensees who fail to comply with continuing education requirements; providing for the department to petition for a determination of probable cause; amending s. 455.517, F.S.; prohibiting the adoption of certain unreasonably restrictive standards or regulations; requiring legislative review of proposals to increase certain regulations of professions; providing an effective date.

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

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By Senator Cowin—

**SB 2450**—A bill to be entitled An act relating to trust funds; creating the Public School Accountability Trust Fund; providing a contingent effective date.

—was referred to the Committee on Fiscal Policy.

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By Senator Clary—

**SB 2452**—A bill to be entitled An act relating to educational facilities; amending s. 235.056, F.S., relating to leased, rented, and lease-purchased educational facilities and sites; specifying the design professionals that are responsible for building plans and code compliance; providing an effective date.

—was referred to the Committee on Regulated Industries.

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By Senator Sebesta—

**SB 2454**—A bill to be entitled An act relating to the State Athletic Commission; transferring the commission to the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor; amending s. 14.2015, F.S.; requiring the Office of Tourism, Trade, and Economic Development to monitor the activities of the commission; amending s. 548.003, F.S.; conforming provisions; providing an effective date.

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

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By Senator Rossin—

**SB 2456**—A bill to be entitled An act relating to special districts; amending s. 190.004, F.S.; providing that ss. 190.006-190.041, F.S., constitute the exclusive charter for such districts; amending s. 190.005, F.S.; prescribing requirements for reestablishment of existing special districts as community development districts; amending s. 190.006, F.S.; prescribing location where records of community development districts may be kept; amending s. 190.009, F.S.; revising requirements relating



to disclosure of public financing; amending s. 190.011, F.S.; revising requirements for location of district office; amending s. 190.012, F.S.; prescribing additional powers of districts; amending s. 190.021, F.S.; providing that certain assessments are non-ad valorem assessments; providing for the collection of such assessments; providing that such assessments constitute liens on the property against which assessed; amending s. 190.022, F.S.; revising procedures for assessment and collection of special assessments; amending s. 190.033, F.S.; revising procedures for bidding for district projects; amending s. 190.046, F.S.; revising procedures and guidelines for expansion or contraction of district boundaries; amending s. 190.048, F.S.; revising requirements for notice upon sale of property within a district; creating s. 190.0485, F.S.; requiring a district to record notice of its establishment; requiring certain preexisting districts to record such notice; amending s. 190.049, F.S.; revising the prohibition against special acts and general acts of local application that create certain special districts; amending s. 189.4031, F.S.; providing that community development districts are in conformity with certain requirements applicable to independent special districts; amending s. 189.405, F.S.; requiring education courses for certain public officials; providing an effective date and a contingent effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Governmental Oversight and Productivity; and Fiscal Resource.

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By Senator Dyer—

**SB 2458**—A bill to be entitled An act relating to title insurance reserve; amending s. 625.111, F.S.; revising the requirements for calculating the required amount of unearned premium reserves and for releasing such reserves, beginning at a specified date; redefining the terms “net retained liability” and “single risk”; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By Senator Dyer—

**SB 2460**—A bill to be entitled An act relating to veterinary medical practice; creating s. 455.247, F.S.; providing for certain impaired practitioners licensed under chapter 474 to be governed by certain provisions of law; amending s. 474.203, F.S.; revising and providing exemptions from regulation under chapter 474, F.S., relating to veterinary medical practice; amending s. 474.207, F.S., relating to licensure by examination; eliminating obsolete provisions; amending s. 474.211, F.S.; requiring criteria for providers of continuing education to be approved by the board; amending s. 474.2125, F.S.; exempting veterinarians licensed in another state from certain requirements for temporary licensure in this state; conforming a cross-reference; amending s. 474.214, F.S.; increasing the administrative fine; amending s. 474.215, F.S.; requiring limited service permittees to register each location and providing a registration fee; providing requirements for certain temporary rabies vaccination efforts; providing permit and other requirements for persons who are not licensed veterinarians but who desire to own and operate a veterinary medical establishment; providing disciplinary actions applicable to holders of premises permits; reenacting s. 474.217(2), F.S., relating to licensure by endorsement, to incorporate the amendment to s. 474.214, F.S., in a reference thereto; providing an effective date.

—was referred to the Committee on Regulated Industries.

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By Senator Mitchell—

**SB 2462**—A bill to be entitled An act relating to mental health services; amending s. 409.26731, F.S.; authorizing the department to certify funds for state match for certain children’s mental health services; providing an effective date.

—was referred to the Committees on Children and Families; and Fiscal Policy.

By Senator Thomas—

**SB 2464**—A bill to be entitled An act relating to seaplanes; prohibiting seaplanes from entering the waters of Ochlockonee Bay; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senator Campbell—

**SB 2466**—A bill to be entitled An act relating to the Department of Children and Family Services; waiving the provisions of s. 20.19, F.S., for purposes of implementing the restructuring and reorganization of budget entities and personnel of the department; requiring the department to submit a reorganization plan to the Legislature; providing for the act’s expiration; providing an effective date.

—was referred to the Committee on Children and Families.

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By Senator Kirkpatrick—

**SB 2468**—A bill to be entitled An act relating to economic development; expressing legislative intent to foster the development of the health technology industry; amending s. 212.08, F.S.; providing a sales tax exemption on purchases of certain machinery and equipment used in health technology production and research and development; amending s. 499.015, F.S.; exempting certain medical device manufacturers from specified registration and fee provisions of the Florida Drug and Cosmetic Act; requiring documentation to support such exemption from the act; amending s. 499.041, F.S.; eliminating devices from the category of registered products triggering payment of an annual product registration fee; requiring the State University System and the University of Miami to report to the Legislature on evaluation of certain business incubator, clinical trial, intellectual property, and technology transfer activities; requiring consultation with specified entities as part of such evaluation; requiring the State Board of Community Colleges to report to the Legislature on the development of curriculum to support the workforce needs of the health technology industry; requiring Enterprise Florida, Inc., to convene a task force to study the impact of securities transactions laws on the ability of the health technology industry to raise capital; requiring a report to the Legislature on recommendations for revising such laws; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 2470**—A bill to be entitled An act relating to public meetings and public records; creating s. 414.295, F.S.; providing an exemption from public meetings requirements for any staff meeting, or portion thereof, of the Department of Children and Family Services, Department of Labor and Employment Security, Department of Health, Department of Revenue, WAGES Program State Board of Directors, or a local WAGES coalition, or their contract service providers, at which certain identifying information regarding temporary cash assistance programs, which information is restricted pursuant to requirements of federal law, is discussed; providing an exemption from public records requirements for certain identifying information in such entities’ records of such programs; providing for future review and repeal; authorizing release of confidential information for specified purposes; providing a prohibition; providing procedures for release of information under specified circumstances; providing a finding of public necessity; providing an effective date.

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

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By Senator Clary—

**SB 2472**—A bill to be entitled An act relating to managed health care; amending s. 408.7056, F.S.; excluding certain additional grievances

from consideration by a statewide provider and subscriber assistance panel; revising the membership of the panel; providing for the Agency for Health Care Administration or the Department of Insurance to adopt the panel's recommendation in a final order rather than in a proposed order; providing that a final order is subject to judicial review; amending s. 641.51, F.S.; requiring that health maintenance organizations provide additional information to the Agency for Health Care Administration indicating quality of care; removing a requirement that organizations conduct customer satisfaction surveys; revising requirements for preventive pediatric health care provided by health maintenance organizations; amending s. 641.58, F.S.; providing for moneys in the Health Care Trust Fund to be used for additional purposes; creating the Health Care Information Council within the Agency for Health Care Administration; providing for the appointment of members to the council; providing terms of office; providing that the council members are entitled for reimbursement for per diem and travel expenses; authorizing the council to employ an executive director and staff members; requiring that the council advise the Governor and Legislature on matters of health care accountability and consumer information; requiring that the council administer a member-satisfaction survey of health maintenance organizations; requiring that the survey results be made public; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Fiscal Policy.

By Senator Sebesta—

**SB 2474**—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.092, F.S.; providing an exception to the requirement for assessing taxes to a current owner of property that has previously escaped taxation; amending s. 196.161, F.S.; providing a waiver of penalty and interest in specified instances wherein a taxpayer erroneously receives a homestead tax exemption; amending s. 200.065, F.S.; revising the procedure by which a property appraiser may correct an error in notices of proposed taxes; creating s. 201.205, F.S.; prohibiting the deliberate use of excess documentary stamps; providing criminal penalties; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Fiscal Resource.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Natural Resources and Senator Sullivan—

**CS for SB 728**—A bill to be entitled An act relating to watersports; amending s. 327.37, F.S.; providing safety rules for towing parasails from vessels; prescribing safety regulations for persons engaged in waterskiing, parasailing, aquaplaning, or similar activities; prohibiting parasailing or operating a boat towing a parasail in specified waters; amending s. 327.73, F.S.; providing that certain violations with respect to parasailing constitute a noncriminal infraction; reenacting ss. 327.72, 327.731, F.S., relating to penalties and mandatory education for violators, to incorporate the amendment to s. 327.73, F.S., in references thereto; providing an effective date.

By the Committee on Natural Resources and Senator Bronson—

**CS for SB 1142**—A bill to be entitled An act relating to solid and hazardous waste management; directing the Department of Environmental Protection to provide trust fund moneys to the Southern Waste Information Exchange, Inc., to operate a waste exchange; providing an effective date.

By the Committee on Natural Resources—

**CS for SB 1250**—A bill to be entitled An act relating to the Department of Environmental Protection; amending s. 20.255, F.S.; deleting the Office of the Youth Corps; renaming the Division of Water Facilities

as the Division of Resource Management; deleting the Division of Environmental Resource Permitting; amending s. 373.4145, F.S.; conforming references; extending the expiration date for the interim permitting authority of the Department of Environmental Protection in the Northwest Florida Water Management District pending adoption of rules; directing the Northwest Florida Water Management District and the Department of Environmental Protection to develop a plan to implement a permitting program under part IV of chapter 373, F.S., which is substantially equivalent to that in the rest of the state by January 1, 2002; requiring submittal of the plan to the Governor and the Legislature; authorizing the department and the Northwest Florida Water Management District to adopt rules implementing part IV of chapter 373, F.S., by January 1, 2002; amending s. 86, ch. 93-213, Laws of Florida; forgiving the repayment of a loan; amending ss. 252.937, 378.901, 403.021, F.S.; conforming a statutory cross-reference; providing an effective date.

By the Committee on Natural Resources and Senator Laurent—

**CS for SB 1384**—A bill to be entitled An act relating to hunting and fishing; amending s. 372.57, F.S.; eliminating a 3-day nonresident freshwater fishing license; creating s. 372.5711, F.S.; providing for review of hunting and fishing license and permit fees and exemptions; amending s. 370.0605, F.S.; eliminating a 3-day nonresident saltwater fishing license; providing an effective date.

By the Committee on Natural Resources and Senator Latvala—

**CS for SB 1424**—A bill to be entitled An act relating to sewage treatment facility discharges; prohibiting new discharges, or increased pollutant loadings from existing sewage treatment facilities into coastal waters within Pasco County or waters tributary thereto; requiring elimination of existing discharges into coastal waters within Pasco County or waters tributary thereto; authorizing the Department of Environmental Protection to grant exceptions under certain circumstances; providing an effective date.

By the Committee on Natural Resources and Senator Hargrett—

**CS for SB 1434**—A bill to be entitled An act relating to solid waste management; authorizing the Department of Environmental Protection to use trust fund moneys as grants to Florida-based businesses that recycle lead-acid batteries and other lead-containing materials; directing the department to work with the Department of Management Services to implement a pilot program to collect lead-containing products; providing an appropriation; providing an effective date.

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

### GUBERNATORIAL APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Governing Board of the St. Johns River Water Management District	
Appointees: Albright, Robert C., East Lake Weir	03/01/2003
Jennings, Jeff K., Maitland	03/01/2003
Kerr, William W., Melbourne Beach	03/01/2000
Long, Ometrias D., Apopka	03/01/2003
Ottenstroer, Duane L., Jacksonville	03/01/2000
Governing Board of the Suwannee River Water Management District	
Appointee: Tatum, Sylvia J., Lawtey	03/01/2000
<b>[Referred to the Committee on Gubernatorial Appointments and Confirmations.]</b>	

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

**RETURNING MESSAGES—FINAL ACTION**

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed SB 6, SB 22, SB 24, SB 26, SB 32, SB 34, SB 46 and SB 48.

*John B. Phelps, Clerk*

The bills contained in the foregoing message were ordered enrolled.

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The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed HB 1039, as amended.

*John B. Phelps, Clerk*

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of March 16 was corrected and approved.

**CO-SPONSORS**

Senators Bronson—SB 1354, SB 2162; Diaz-Balart—SB 958; Dyer—CS for SB 62; King—SB 958; Klein—SB 56; Latvala—SB 2030; Webster—SB 1598

**RECESS**

On motion by Senator McKay, the Senate recessed at 11:53 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, March 24.