



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—36:

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

Excused: Senator Myers

PRAYER

The following prayer was offered by Pastor Paul Kummer, Grace Lutheran Church, Destin:

O God of Abraham, Isaac and Jacob, never-changing one, it is because of your great love that we are not consumed, for your compassions never fail. They are new this morning. Great is your faithfulness!

Therefore, with boldness, Father, we ask you for an infusion of wisdom and strength today. We ask you for humble strength to admit our weaknesses and sins to you and wisdom to seek you while you may be found. We ask for Solomon wisdom to make God-pleasing decisions and strength to persevere in them for the sake of Florida. We pray for supernatural strength and wisdom to recognize and fight for the truth—today, all day. Teach us your ways, O God, and we will walk in your truth. You alone are our strength.

Lord, you have called Governor Jeb Bush, President Toni Jennings and all these men and women to the noble task of leading this state. Keep on equipping them by your grace. Strengthen them, dear Lord. Fill them with your power. Help us all to remember these two truths: apart from you we can do nothing, yet with you we can do all things because you give us strength.

We especially thank you today for sparing the life of Linda Collins' son, Ryan, recently. We praise you for his positive attitude and continued recovery. Lord, as in all things when we don't know why they happen,

help us to trust you. O Lover of our souls, draw Ryan and his family nearer to you—and, by your grace, keep on healing him.

Today, O God, even in our work, in our debating, in our using of gifts you have given us and in our striving for the good of the people of Florida, may your name be hallowed, may your kingdom come, and may your will be done.

“For yours is the kingdom, the power and the glory forever!” We pray this in the precious, sin-forgiving and life-empowering name of our Savior. Amen.

PLEDGE

Senate Pages Samantha Danielle of Melbourne and Jennifer Wood of Winter Park, 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 Geller—

By Senator Geller—

SR 84—A resolution commending the firefighters who battled the Florida wildfires during May, June, and July, 1998.

WHEREAS, wildfires invaded more than one-third of the counties in this state during May, June, and July, 1998, charring land from the Apalachicola National Forest to the Intracoastal Waterway and from the Okefenokee Swamp to Cape Canaveral, and

WHEREAS, the outbreak of more than 2,200 drought-fueled wildfires in 1998 burned more than one-half million acres and damaged or destroyed an estimated 340 homes and 33 businesses in the worst series of wildfires that this state has experienced in more than 50 years, and

WHEREAS, the damage to this state would have been far worse if it were not for the tireless efforts of more than 5,000 firefighters from across Florida and more than 44 states, representing more than 150 firefighting units from municipal, county, state, federal, and multi-state agencies, and

WHEREAS, these firefighters risked their lives to save lives and property and truly represent the best traits of humanity, heroism, sacrifice, and the spirit of service to others, and

WHEREAS, although words cannot express the heartfelt gratitude that the residents and visitors in this state feel for the dedication of these brave firefighters and their noble profession, it is fitting that the Senate pause to pay them tribute, NOW, THEREFORE,

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

That the Florida Senate commends the firefighters from throughout this state and nation for their heroism and tireless efforts to fight the wildfires that occurred across this state during the summer of 1998.

BE IT FURTHER RESOLVED that the Florida Senate encourages the residents of this state to remember these brave individuals in their thoughts and prayers.

—**SR 84** was introduced, read and adopted by publication.

SPECIAL GUESTS

Senator Geller recognized a group of fire fighters who were present in the gallery.

At the request of Senator Forman—

By Senator Forman—

SR 1462—A resolution commending the osteopathic physicians of this state and recognizing March 24, 1999, as Osteopathic Medicine Day.

WHEREAS, osteopathic physicians provide health care services that account for more than 100 million patient visits in this country each year, and

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

WHEREAS, since 1990, the number of active osteopathic physicians in this state has increased by 47 percent, and

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

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

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

That the Florida Senate commends the osteopathic physicians of this state for their contributions to the health and welfare of the residents of this state and recognizes March 24, 1999, as Osteopathic Medicine Day.

—**SR 1462** was introduced, read and adopted by publication.

At the request of Senator Dawson-White—

By Senator Dawson-White—

SR 2564—A resolution recognizing Abhishek Gupta and other young people whose combined efforts raised nearly \$60,000 for the benefit of local charities and victims of Hurricane Mitch.

WHEREAS, a group of 11 young people between the ages of 7 and 17, after forming a nonprofit organization known as “Clothes, Food, and Education for the Poor and Needy,” worked together in the fall of 1998 to raise funds that were distributed to the Fort Lauderdale Sun-Sentinel Children’s Fund, the Miami Herald Wishbook, other local charities, and victims of Hurricane Mitch in South America, and

WHEREAS, this small group of determined young people accomplished this project by distributing fliers in neighborhoods, obtaining sponsorships from corporations, and receiving matching donations from private donors and the McCormick Tribune Foundation, and

WHEREAS, Abhishek Gupta, along with Constance Campbell, Hakeem Campbell, Adam Deitsch, Diana Deitsch, Shawn Krueger, Edward McDuffie, Monique McDuffie, Laurel Muse, Mayank Vijay, and Samantha Voehringer, presented a check to First Lady Hillary Clinton and to editors of the Miami Herald and the Sun-Sentinel in Fort Lauderdale, and Abhishek Gupta traveled to South America and personally distributed a portion of the donations to organizations that provide medical care to children in Honduras, and

WHEREAS, because of the energy and enthusiasm of this group of dedicated youngsters, other children in the south Florida community enjoyed a happier Holiday Season and many children in Central America received help and assistance, NOW, THEREFORE,

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

That the Florida Senate commends Abhishek Gupta and the other young people who assisted in the fund-raising efforts of the organization Clothes, Food, and Education for the Poor and Needy.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Abhishek Gupta, the other 10 young people, and his fellow members of Clothes, Food, and Education for the Poor and Needy as a tangible token of the sentiments of the Florida Senate.

—**SR 2564** was introduced, read and adopted by publication.

At the request of Senator Silver—

By Senator Silver—

SR 2656—A resolution celebrating March 24, 1999, as Joe DiMaggio Day in the State of Florida.

WHEREAS, on Monday, March 8, 1999, Joe DiMaggio, considered by many to be the greatest baseball player who ever lived, passed away, and

WHEREAS, people across the United States and throughout the State of Florida are mourning the loss of this legendary American athlete who represented the epitome of athletic excellence and grace, and

WHEREAS, born on November 25, 1914, to Italian immigrant parents, Joe DiMaggio climbed his way to the top of America’s pastime in a career characterized by a constant demonstration of his undying love for the sport, and

WHEREAS, following a remarkable 13-year career with the New York Yankees in which he led his team to ten American League pennants and nine World Series Championships, Joe DiMaggio was inducted into the Major League Baseball Hall of Fame in 1955, and

WHEREAS, both on and off the playing field, Joe DiMaggio was a man of quiet self-possession with a strong sense of privacy, and

WHEREAS, Joe DiMaggio sacrificed some of the privacy he so greatly valued to help ensure that children from all over the country were able to receive proper health care when he undertook the support of the operation of children’s hospitals across the nation, and

WHEREAS, in 1992, Joe DiMaggio lent his name to Memorial Regional Hospital in Hollywood, Florida, where the Joe DiMaggio Children’s Hospital was created to care for thousands of children battling numerous forms of illness, and

WHEREAS, Joe DiMaggio enriched the hospital and the community in which he lived through his fundraising and support of various nonprofit agencies, and

WHEREAS, it is with a deep sense of loss and sadness that Memorial Hospital and the South Broward Hospital District mark the passing of Joe DiMaggio, and

WHEREAS, the hospital district and those who receive health care through the Joe DiMaggio Children’s Hospital and the State of Florida join the rest of the nation in acknowledging the unique legacy of this great American athlete and gentleman and honoring his memory as they commemorate the life of Joe DiMaggio, NOW, THEREFORE,

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

That the Florida Senate celebrates March 24, 1999, as Joe DiMaggio Day in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be transmitted to the family of Joe DiMaggio as a tangible token of the esteem held by the Florida Senate.

—**SR 2656** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator McKay, by two-thirds vote **SB 2500** was withdrawn from the Committee on Budget; **SB 2502** was withdrawn from the Committee on Fiscal Policy; **SB 1426** was removed from the calendar and referred to the Committee on Rules and Calendar; **SB 1078** was withdrawn from the Committees on Comprehensive Planning, Local and Military Affairs; Commerce and Economic Opportunities; and Fiscal Policy; and referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Fiscal Policy; and **SB 1160** was also referred to the Committee on Fiscal Policy.

On motion by Senator McKay, by two-thirds vote **CS for SB 74**, **SB 242**, **CS for SB 244**, **CS for SB's 286, 722 and 1074**, **SB 730**, **CS for SB 738**, **CS for SB 748**, **SB 750**, **CS for SB 912** and **SB 1084** were withdrawn from the Committee on Fiscal Policy.

On motion by Senator Kirkpatrick, by two-thirds vote **SB 38**, **SB 58** and **SB 918** were withdrawn from the committees of reference and further consideration; and **SR 1528** was withdrawn prior to introduction.

On motion by Senator Saunders, by two-thirds vote **SB 2140** was withdrawn from the committees of reference and further consideration.

On motion by Senator Bronson, by two-thirds vote **SB 1770** was withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator McKay, a deadline of 5:00 p.m. this day was set for filing amendments to Bills on Third Reading to be considered Thursday, March 25.

BILLS ON THIRD READING

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 third time by title.

On motion by Senator Brown-Waite, **CS for CS for SB 1468** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Rossin	Scott	Silver	Thomas
Saunders	Sebesta	Sullivan	Webster
Nays—None			

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 third time by title.

On motion by Senator Rossin, **CS for CS for SB 94** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

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.

—as amended March 17 was read the third time by title.

On motion by Senator McKay, **SB 168** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Scott Silver Thomas Webster
Sebesta Sullivan
Nays—None

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 third time by title.

On motion by Senator Hargrett, **CS for SB 156** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

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.

—as amended March 17 was read the third time by title.

On motion by Senator Brown-Waite, **CS for SB 60** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

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; providing an effective date.

—as amended March 17 was read the third time by title.

On motion by Senator Bronson, **SB 138** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Madam President	Burt	Casas	Cowin
Bronson	Campbell	Childers	Dawson-White
Brown-Waite	Carlton	Clary	Diaz-Balart

Dyer	Jones	Lee	Sebesta
Forman	King	McKay	Silver
Geller	Kirkpatrick	Meek	Sullivan
Grant	Klein	Mitchell	Thomas
Hargrett	Kurth	Rossin	Webster
Holzendorf	Latvala	Saunders	
Horne	Laurent	Scott	

Nays—None

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 third time by title.

On motion by Senator Brown-Waite, **CS for SB 166** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—3

Laurent	Rossin	Scott
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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 third time by title.

On motion by Senator Campbell, **SB 72** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Scott Silver Thomas Webster
 Sebesta Sullivan
 Nays—None

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 third time by title.

On motion by Senator Brown-Waite, **CS for SB 152** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Consideration of **SB 8** was deferred.

SPECIAL ORDER CALENDAR

On motion by Senator Grant—

CS for SB 64—A bill to be entitled An act relating to government; creating the “Citizen Participation in Government Act” and providing for its purposes; defining terms; providing procedures for the judiciary to respond to lawsuits relating to the constitutional right to petition the government for redress of grievances; 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 Grant and adopted:

Amendment 1—On page 3, line 28 through page 4, line 2, delete those lines and insert:

(1) “Governmental entity” means the state, or any political subdivision of the state, including, but not limited to, a county, municipality, district, or authority, or any agency thereof, however styled, that independently exercises governmental authority.

Pursuant to Rule 4.19, **CS for SB 64** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SENATOR GRANT PRESIDING

On motion by Senator Klein—

SB 130—A bill to be entitled An act relating to the prosecution of juveniles as adults; amending s. 985.227, F.S.; providing for a juvenile to be prosecuted as an adult if the juvenile is charged with grand theft of a motor vehicle; reenacting s. 985.21(4)(e), F.S., relating to the state attorney’s authority to prosecute a juvenile as an adult, to incorporate the amendment to s. 985.227, F.S., in a reference thereto; 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 Klein and adopted:

Amendment 1 (with title amendment)—On page 2, delete line 20 and insert: *\$20,000 or more in violation of s. 812.014(2)(b) if the child has a previous adjudication for grand theft of a motor vehicle in violation of s. 812.014(2)(c)6. or s. 812.014(2)(b).*

And the title is amended as follows:

On page 1, line 6, before the semicolon (;) insert: and has a prior adjudication for grand theft of a motor vehicle;

Pursuant to Rule 4.19, **SB 130** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Sebesta—

CS for SB 154—A bill to be entitled An act relating to trespass upon the grounds or facilities of a school; transferring, renumbering, and amending s. 228.091, F.S.; providing for the offense of trespass upon the grounds or facilities of a school to apply to a trespass upon the grounds or facilities of a nonpublic school; defining the term “school property”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 154** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hargrett—

CS for SB 144—A bill to be entitled An act relating to Murphy Act lands; amending s. 253.82, F.S.; providing for conveyance of all Murphy Act transportation easements to the governmental entity currently having title to the adjacent roadway; requiring the establishment of a procedure for review of deeds containing Murphy Act transportation reservations; setting requirements for the review process; providing for compensation of certain property owners if the reservation denies the property owner the current economic use of the property; amending s. 712.04, F.S.; providing for reservations of easements in deeds by the Board of Trustees of the Internal Improvement Trust Fund to be extinguished on a specified date, subject to certain limitations; amending s. 712.05, F.S.; providing procedures by which a governmental entity may preserve a road reservation; requiring notice; providing an effective date.

—was read the second time by title.

Senator Hargrett moved the following amendments which were adopted:

Amendment 1—On page 3, delete lines 7-10 and insert:

6. Any administrative fee charged not to exceed the actual cost to review the deed, with no fee to exceed \$300. The property owner shall be responsible for the payment of any recording fees the property owner incurs. The property owner and governmental entity shall be responsible for their respective fees to perform an appeal or participate in mediation

or arbitration as provided in this subsection. A governmental entity may waive administrative fees upon a determination by the governmental entity of the property owner's economic hardship.

Amendment 2 (with title amendment)—On page 4, between lines 23 and 24, insert:

(f) The provisions of this subsection apply only to reservations of easements on deeds for roads and shall not apply to any other reservations, including canal, oil, gas, or mineral reservations.

And the title is amended as follows:

On page 1, line 17, following the semicolon (;) insert: providing applicability;

Pursuant to Rule 4.19, **CS for SB 144** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **SB 114** was deferred.

On motion by Senator Kurth—

SB 248—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; allowing a person who met the experience requirement to practice orthotics, prosthetics, or pedorthics before a specified date to apply for licensure, based on the person's experience and educational preparation, without meeting the educational requirements set forth in statute; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 248** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 264** was deferred.

On motion by Senator Mitchell—

CS for SB 714—A bill to be entitled An act relating to the Florida World War II Veterans Memorial; providing for the construction of a memorial to the Florida residents who served during World War II; specifying source of moneys; directing the Commission on Veterans' Affairs to cooperate with the Capitol Center Planning Commission to report on the cost and appropriate location of the memorial; directing the Governor to arrange for an appropriate ceremony; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 714** was placed on the calendar of Bills on Third Reading.

On motion by Senator Mitchell—

CS for SB 716—A bill to be entitled An act relating to trust funds; creating the Florida World War II Veterans Memorial Matching Trust Fund within the Department of Veterans' Affairs; 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.

Pursuant to Rule 4.19, **CS for SB 716** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

CS for SB 288—A bill to be entitled An act relating to postsecondary education; amending s. 240.551, F.S.; providing for the transfer of Florida Prepaid College Program benefits to certain applied technology di-

ploma programs and vocational certificate programs; requiring the direct-support organization to operate under written contract with the board; providing contract requirements; requiring an annual financial and compliance audit; allowing the Florida Prepaid College Board to permit direct-support organizations established under this section to use the property, facilities, and personal services of the board; providing for such direct-support organizations to invest funds with the moneys invested under the Florida Prepaid College Trust Fund; providing an effective date.

—was read the second time by title.

Senator Lee moved the following amendment which was adopted:

Amendment 1—On page 2, delete line 27 and insert: , and that which confers baccalaureate degrees, is shall be eligible

Pursuant to Rule 4.19, **CS for SB 288** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Brown-Waite—

SB 114—A bill to be entitled An act relating to the Florida Independent Living Council; amending s. 413.395, F.S.; authorizing the Florida Independent Living Council to incorporate as a corporation not for profit; allowing an increase in the number of its members; amending prerequisites to the Governor's appointment of council members; providing an effective date.

—was read the second time by title.

The Committee on Commerce and Economic Opportunities recommended the following amendment which was moved by Senator Brown-Waite and adopted:

Amendment 1—On page 1, line 26, before "is" insert: , unless the council elects to incorporate as a not-for-profit corporation,

Pursuant to Rule 4.19, **SB 114** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Horne—

SB 676—A bill to be entitled An act relating to taxation; amending s. 220.03, F.S.; revising definitions relating to the income tax code to incorporate the most recent changes to the United States Internal Revenue Code; providing for retroactive application; providing an effective date.

—was read the second time by title.

Senator McKay moved the following amendment which was adopted:

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

Section 1. Paragraph (n) of subsection (1) and paragraph (c) of subsection (2) of section 220.03, Florida Statutes, 1998 Supplement, are amended and a new subsection (hh) is added to subsection (1) of that section to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(n) "Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended and in effect on January 1, 1999 1998, except as provided in subsection (3).

(hh) "Citrus processing company" means a corporation which, during the 60-month period ending on December 31, 1997, had derived more than 50 percent of its total gross receipts from the processing of citrus products and the manufacture of juices.

(2) DEFINITIONAL RULES.—When used in this code and neither otherwise distinctly expressed nor manifestly incompatible with the intent thereof:

(c) Any term used in this code shall have the same meaning as when used in a comparable context in the Internal Revenue Code and other statutes of the United States relating to federal income taxes, as such code and statutes are in effect on January 1, 1999 ~~1998~~. However, if subsection (3) is implemented, the meaning of any term shall be taken at the time the term is applied under this code.

Section 2. Subsection (3) is added to section 220.151, Florida Statutes, to read:

220.151 Apportionment; methods for special industries.—

(3) *For any taxable year beginning on or after January 1, 1999, a citrus processing company may, if required to apportion its taxable net income pursuant to the three-factor apportionment method set forth in s. 220.15(1), elect to have such apportionment determined for that taxable year solely by use of the sales factor, as set forth in s. 220.15(5). The election shall be made by the filing of a return for the taxable year utilizing this method.*

Section 3. This act shall take effect upon becoming a law, and shall operate retroactively to January 1, 1999.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to taxation; amending s. 220.03, F.S.; revising definitions relating to the income tax code to incorporate the most recent changes to the United States Internal Revenue Code; defining "citrus processing company"; amending s. 220.151, F.S.; allowing certain citrus processing companies to elect to determine the apportionment of their adjusted federal income to this state solely by use of the sales factor; providing for retroactive application; providing an effective date.

Pursuant to Rule 4.19, **SB 676** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Campbell—

CS for CS for SB 740—A bill to be entitled An act relating to letters of credit under the Uniform Commercial Code; amending ss. 675.101, 675.102, 675.103, 675.104, 675.105, 675.106, 675.107, 675.108, 675.109, 675.110, 675.111, 675.112, 675.113, 675.114, 675.115, 675.116, and 675.117, F.S.; revising article 5 of the Uniform Commercial Code relating to letters of credit; providing scope, application, effect; providing definitions; providing formal requirements; providing that consideration is unnecessary; providing for issuance, amendment, cancellation, and duration; specifying rights and obligations of confirmers, nominated persons, and advisers; providing issuer's rights and obligations; providing procedures for counteracting fraud and forgery; specifying certain warranties; providing remedies; providing for transfers of letters of credit; providing for transfers by operation of law; providing for assignment of proceeds of letters of credit; providing a statute of limitations; providing for a choice of law and forum; providing for subrogation of issuers, applicants, and nominated persons; providing applications; amending ss. 671.105, 672.512, 679.103, 679.104, 679.105, 679.106, 679.304, and 679.305, F.S., to conform; amending s. 95.11, F.S., to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 740** was placed on the calendar of Bills on Third Reading.

On motion by Senator Scott—

SB 826—A bill to be entitled An act relating to corporations; amending s. 607.0722, F.S.; providing alternative methods of appointing proxies by shareholders; amending s. 607.11045, F.S.; clarifying provisions relating to the conversion of shares in certain internal mergers of corporations; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 826** to **CS for HB 133**.

Pending further consideration of **SB 826** as amended, on motion by Senator Scott, by two-thirds vote **CS for HB 133** was withdrawn from the Committee on Commerce and Economic Opportunities.

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

CS for HB 133—A bill to be entitled An act relating to corporations; amending s. 607.0722, F.S.; providing alternative methods for appointing proxies by shareholders; amending s. 607.11045, F.S.; clarifying provisions relating to the conversion of shares in certain internal mergers of corporations; providing an effective date.

—a companion measure, was substituted for **SB 826** as amended and by two-thirds vote read the second time by title.

Senator Scott moved the following amendment which was adopted:

Amendment 1 (with title amendment)—On page 1, line 11, insert:

Section 1. Subsection (1) of section 607.0631, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

607.0631 Corporation's acquisition of its own shares.—

(1) A corporation may acquire its own shares, and, unless otherwise provided in the articles of incorporation or except as provided in subsection (4) or subsection (5), shares so acquired constitute authorized but unissued shares of the same class but undesignated as to series.

(5) *A corporation that has shares of any class or series which are either registered on a national securities exchange or designated as a national market system security on an interdealer quotation system by the National Association of Securities Dealers, Inc., may acquire such shares and designate, either in the bylaws or in the resolutions of its board, that shares so acquired by the corporation shall constitute treasury shares.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 2, after the semicolon (;) insert: amending s. 607.0631, F.S.; authorizing a corporation to acquire shares of a certain series or class and designate such shares as treasury shares;

Pursuant to Rule 4.19, **CS for HB 133** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Forman—

SB 876—A bill to be entitled An act relating to building designations; designating the State Veterans' Nursing Home in Pembroke Pines as the Alexander "Sandy" Nininger, Jr. State Veterans' Nursing Home; directing the Department of Veterans' Affairs to erect suitable markers; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Forman moved the following amendment which was adopted:

Amendment 1 (with title amendment)—On page 2, between lines 8 and 9, insert:

Section 3. (1) *The building currently housing the Florida Records Storage Center of the Department of State, located at 4319 Shelfer Road in Tallahassee, is designated the "Jim Smith Building" in honor of former Secretary of State Jim Smith who served as Florida's 21st Secretary of State from August 5, 1987, to January 3, 1995.*

(2) *The Department of State shall erect suitable markers bearing the designation made by this section.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 7, after the semicolon (;) insert: designating the Florida Records Storage Center of the Department of State as the Jim Smith Building; directing the Department of State to erect suitable markers;

Pursuant to Rule 4.19, **SB 876** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

On motion by Senator Diaz-Balart—

SB 212—A bill to be entitled An act relating to witnesses in judicial proceedings; amending s. 92.57, F.S.; prohibiting threatening an employee with dismissal because of the employee's testimony or appearance as a witness in a judicial proceeding; authorizing the court to hold an employer in contempt for dismissing, or threatening to dismiss, an employee because of the employee's appearance or testimony as a witness; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 212** was placed on the calendar of Bills on Third Reading.

On motion by Senator McKay—

SB 712—A bill to be entitled An act relating to executive appointments; amending s. 14.29, F.S., relating to terms of members of the Florida Commission on Community Service; deleting obsolete provisions; amending s. 20.171, F.S., relating to terms of members of the Unemployment Appeals Commission within the Department of Labor and Employment Security; deleting obsolete provisions; amending s. 20.23, F.S., relating to the Secretary of Transportation; deleting obsolete provisions; amending s. 20.255, F.S.; clarifying the terms of members of the Environmental Regulation Commission within the Department of Environmental Protection; amending s. 20.315, F.S., relating to terms of members of the Florida Corrections Commission within the Department of Corrections; deleting obsolete provisions; amending s. 20.316, F.S.; requiring that the Secretary of Juvenile Justice be confirmed by the Senate; amending s. 20.41, F.S., relating to the Secretary of Elderly Affairs; deleting obsolete provisions; amending s. 186.504, F.S.; specifying terms of members of regional planning councils; amending s. 231.545, F.S., relating to membership on the Education Standards Commission within the Department of Education; deleting obsolete provisions; amending s. 240.145, F.S., relating to terms of members of the Postsecondary Education Planning Commission; deleting obsolete provisions; amending s. 240.313, F.S.; specifying the terms of members of the board of trustees of a community college; amending s. 246.205, F.S., relating to terms of members of the State Board of Nonpublic Career Education; deleting obsolete provisions; amending s. 288.707, F.S.; clarifying membership on the Florida Black Business Investment Board within the Office of Tourism, Trade, and Economic Development; deleting obsolete provisions; amending s. 288.901, F.S., relating to the board of directors of Enterprise Florida, Inc.; deleting obsolete provisions; amending s. 288.9412, F.S., relating to the International Trade and Economic Development Board within Enterprise Florida, Inc.; deleting the requirement that certain specified members be confirmed by the Senate; revising the membership of the board; deleting obsolete provisions; amending s. 288.9512, F.S., relating to the Technology Development Board within Enterprise Florida, Inc.; deleting obsolete provisions; amending s. 288.9604, F.S., relating to terms of members of the Florida Development Finance Corporation; deleting obsolete provisions; amending s. 288.9611, F.S., relating to the appointment and terms of members of the Capital Development Board within Enterprise Florida, Inc.; deleting obsolete provisions; amending s. 288.9620, F.S., relating to the appointment and terms of members of the Workforce Development Board within Enterprise Florida, Inc.; deleting obsolete provisions; amending s. 331.308, F.S., relating to the board of supervisors of the Spaceport Florida Authority; deleting a requirement that the Senate confirm the legislative ex officio members of the board; deleting obsolete provisions relating to appointments and terms; amending s. 349.03, F.S., relating to terms of members of the Jacksonville Transportation Authority; deleting obsolete provisions; amending s. 350.01, F.S., relating to terms of

members of the Florida Public Service Commission; deleting obsolete provisions; clarifying the term for the chairperson of the commission; amending s. 370.19, F.S.; revising the membership of the Atlantic States Marine Fisheries Commission; revising requirements for the legislative ex officio members of the commission; specifying terms of office; amending s. 370.20, F.S., relating to the Gulf States Marine Fisheries Commission; revising requirements for the legislative ex officio members of the commission; specifying terms of office; amending s. 373.0693, F.S.; clarifying terms of office for members of basin boards within the water management districts; amending s. 380.504, F.S., relating to terms of members of the Florida Communities Trust within the Department of Community Affairs; deleting obsolete provisions; amending s. 404.31, F.S., relating to terms of members of the Southeast Interstate Low-Level Radioactive Waste Management Commission; deleting obsolete provisions; amending s. 447.205, F.S., relating to terms of the Public Employees Relations Commission within the Department of Labor and Employment Security; deleting obsolete provisions; repealing s. 464.0045, F.S., relating to terms of members of the Board of Nursing; amending s. 468.1135, F.S., relating to terms and qualifications of members of the Board of Speech-Language Pathology and Audiology; deleting obsolete provisions; amending s. 468.203, F.S., relating to the practice of occupational therapy; providing a definition; amending s. 468.205, F.S., relating to terms for members of the Board of Occupational Therapy Practice; deleting obsolete provisions; amending s. 468.4315, F.S., relating to terms of members of the Regulatory Council of Community Association Managers; deleting obsolete provisions; amending s. 468.521, F.S., relating to terms of members of the Board of Employee Leasing Companies; deleting obsolete provisions; amending s. 468.605, F.S., relating to terms of the members of the Florida Building Code Administrators and Inspectors Board; deleting obsolete and conflicting provisions; amending s. 468.801, F.S., relating to the terms of members of the Board of Orthotists and Prosthetists; deleting obsolete provisions; amending s. 475.02, F.S., relating to terms of the members of the Florida Real Estate Commission within the Department of Business and Professional Regulation; deleting obsolete provisions; amending s. 475.613, F.S., relating to terms and qualifications of members of the Florida Real Estate Appraisal Board; deleting obsolete provisions; amending s. 476.054, F.S., relating to terms of members of the Barbers' Board; deleting conflicting provisions; amending s. 477.015, F.S., relating to terms of the members of the Board of Cosmetology; deleting a limitation on terms of appointment; amending s. 480.035, F.S., relating to terms of the members of the Board of Massage Therapy; deleting a limitation on terms of appointment; amending s. 483.805, F.S., relating to terms of members of the Board of Clinical Laboratory Personnel; deleting obsolete provisions; amending s. 489.107, F.S., relating to terms of the members of the Construction Industry Licensing Board; deleting a limitation on terms of appointment; amending s. 491.004, F.S., relating to terms of the members of the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling; deleting obsolete provisions; amending s. 497.101, F.S., relating to terms of the members of the Board of Funeral and Cemetery Services; deleting obsolete provisions; amending s. 601.04, F.S., relating to the appointment and terms of members of the Florida Citrus Commission within the Department of Citrus; deleting obsolete provisions; clarifying terms of members following redistricting; amending s. 945.602, F.S., relating to qualifications of the members of the State of Florida Correctional Medical Authority; deleting obsolete provisions; amending ss. 947.01, 947.03, F.S., relating to the appointment and number of members of the Parole Commission; deleting obsolete provisions; repealing s. 947.022, F.S., relating to terms and appointment of members of the Parole Commission; providing an effective date.

—was read the second time by title.

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

Amendment 1 (with title amendment)—On page 13, between lines 15 and 16, insert:

Section 8. Subsection (1) of section 20.42, Florida Statutes, is amended to read:

20.42 Agency for Health Care Administration.—There is created the Agency for Health Care Administration within the Department of Business and Professional Regulation. The agency shall be a separate budget entity, and the director of the agency shall be the agency head for all purposes. The agency shall not be subject to control, supervision, or

direction by the Department of Business and Professional Regulation in any manner, including, but not limited to, personnel, purchasing, transactions involving real or personal property, and budgetary matters.

(1) DIRECTOR OF HEALTH CARE ADMINISTRATION.—The head of the agency is the Director of Health Care Administration, who shall be appointed by the Governor, *subject to confirmation by the Senate. The requirement for Senate confirmation applies to any person appointed on or after October 1, 1999.* The director shall serve at the pleasure of and report to the Governor.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 23, after “provisions;” insert: requiring the Director of Health Care Administration to be confirmed by the Senate;

Amendment 2—On page 58, line 2, delete “three” and insert: *four*

Senator McKay moved the following amendment which was adopted:

Amendment 3 (with title amendment)—On page 13, line 16 through page 14, line 5, delete those lines and insert:

Section 8. Subsections (3) and (4) of section 186.504, Florida Statutes, are amended to read:

186.504 Regional planning councils; creation; membership.—

(3) Not less than two-thirds of the representatives serving as voting members on the governing bodies of such regional planning councils shall be elected officials of local general-purpose governments chosen by the *municipalities* cities and counties of the region, provided each county shall have at least one vote. The remaining one-third of the voting members on the governing board shall be appointed by the Governor *to terms of 3 years each*, subject to confirmation by the Senate, and shall reside in the region. No two appointees of the Governor shall have their places of residence in the same county until each county within the region is represented by a Governor’s appointee to the governing board. Nothing contained in this section shall deny to local governing bodies or the Governor the option of appointing either locally elected officials or lay citizens provided at least two-thirds of the governing body of the regional planning council is composed of locally elected officials.

(4) In addition to voting members appointed pursuant to paragraph (2)(c), the Governor shall appoint the following ex officio nonvoting members to each regional planning council:

- (a) A representative of the Department of Transportation.
- (b) A representative of the Department of Environmental Protection.
- (c) A representative *nominated by Enterprise Florida, Inc., and the Office of Tourism, Trade, and Economic Development of the Department of Commerce.*
- (d) A representative of the appropriate water management district or districts.

And the title is amended as follows:

On page 1, line 24, after the semicolon (;) insert: *clarifying membership and*

Pursuant to Rule 4.19, **SB 712** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Campbell, by two-thirds vote **CS for HB 13** was withdrawn from the Committee on Criminal Justice.

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

CS for HB 13—A bill to be entitled An act relating to restitution; amending s. 775.089, F.S.; specifying retention of jurisdiction by county courts to enforce restitution under certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 744** and by two-thirds vote read the second time by title.

Senator Campbell moved the following amendment which was adopted:

Amendment 1 (with title amendment)—On page 1, delete lines 10-26 and insert:

Section 1. Subsection (3) of section 775.089, Florida Statutes, is amended to read:

775.089 Restitution.—

(3)(a) The court may require that the defendant make restitution under this section within a specified period or in specified installments.

(b) The end of such period or the last such installment shall not be later than:

1. The end of the period of probation if probation is ordered;
2. Five years after the end of the term of imprisonment imposed if the court does not order probation; or
3. Five years after the date of sentencing in any other case.

(c) *Notwithstanding this subsection, a court that has ordered restitution for a misdemeanor offense shall retain jurisdiction for the purpose of enforcing the restitution order for any period, not to exceed 5 years, that is pronounced by the court at the time restitution is ordered.*

(d)(e) If not otherwise provided by the court under this subsection, restitution must be made immediately.

If the restitution ordered by the court is not made within the time period specified, the court may continue the restitution order through the duration of the civil judgment provision set forth in subsection (5) and as provided in s. 55.10.

And the title is amended as follows:

On page 1, delete line 4 and insert: *jurisdiction by the court to enforce*

Pursuant to Rule 4.19, **CS for HB 13** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **SB 996** was deferred.

On motion by Senator Burt—

SB 1396—A bill to be entitled An act relating to the registration of drugs, devices, and cosmetics; amending s. 499.015, F.S.; exempting from ss. 499.015, 499.041(6), F.S., each manufacturer of medical devices that are approved by, registered with, and listed with the federal Food and Drug Administration; requiring certain information to be submitted with such a manufacturer’s application for a permit to do business in this state; providing an effective date.

—was read the second time by title.

The Committee on Health, Aging and Long-Term Care recommended the following amendment which was moved by Senator Burt:

Amendment 1 (with title amendment)—On page 1, delete lines 19-27 and insert:

(8) *Notwithstanding any requirements set forth in ss. 499.001-499.081, a manufacturer of medical devices that is registered with the federal Food and Drug Administration is exempt from ss. 499.015 and 499.041(6) if:*

(a) *The manufacturer’s medical devices are approved for marketing by, or listed with the federal Food and Drug Administration in accordance with federal law for commercial distribution; or*

(b) *The manufacturer subcontracts with a manufacturer of medical devices to manufacture components of such devices.*

However, the manufacturer must submit evidence of such registration, listing, or approval with its initial application for a permit to do business

in this state, as required in s. 499.013 and any changes to such information previously submitted at the time of renewal of the permit. Evidence of approval, listing, and registration by the federal Food and Drug Administration must include:

And the title is amended as follows:

On page 1, delete lines 5-7 and insert: F.S., manufacturers of medical devices that meet specified requirements of the federal Food and Drug Administration;

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

Amendment 1A—On page 1, delete lines 21-29 and insert: *exempt from this section and s. 499.041(6) if:*

(a) *The manufacturer's medical devices are approved for marketing by, or listed with the federal Food and Drug Administration in accordance with federal law for commercial distribution; or*

(b) *The manufacturer subcontracts with a manufacturer of medical devices to manufacture components of such devices.*

(9) *However, the manufacturer must submit evidence of such*

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **SB 1396** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Thomas—

SB 326—A bill to be entitled An act relating to the Treasurer; amending ss. 18.125 and 112.215, F.S.; providing that fees contributed by participants in the Government Employees' Deferred Compensation Plan Act shall not be included in the unencumbered balance of a certain trust fund maintained by the Treasurer; providing an effective date.

—was read the second time by title.

Senator Thomas moved the following amendment which was adopted:

Amendment 1—On page 1, line 28 through page 2, line 2, delete those lines and insert: quarter shall not exceed \$750,000. Any funds in excess of this amount shall be transferred unallocated to the General Revenue Fund. *However, fees received from deferred compensation participants pursuant to s. 112.215 shall not be transferred to the General Revenue Fund and shall be used to operate the deferred compensation program.*

Pursuant to Rule 4.19, **SB 326** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Laurent—

CS for SB 1280—A bill to be entitled An act relating to financial institutions; amending s. 655.0385, F.S.; revising the time period within which state financial institutions must notify the department concerning the appointment or employment of certain individuals; authorizing the Department of Banking and Finance to exempt certain financial institutions from reporting requirements relating to directors and executive officers; providing for the adoption of rules; amending s. 655.948, F.S.; revising notice and disclosure requirements; exempting certain financial institutions from reporting requirements; amending s. 658.26, F.S.; providing for certain financial institutions to establish branches by filing a written notice; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1280** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brown-Waite—

CS for SB 932—A bill to be entitled An act relating to Department of Corrections; amending s. 944.10, F.S.; limiting the services that may be provided by the department when it contracts with governmental entities for planning and designing buildings, parks, roads, and other projects; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 932** was placed on the calendar of Bills on Third Reading.

On motion by Senator Clary—

SB 1514—A bill to be entitled An act relating to hospices; amending s. 400.605, F.S.; prescribing additional subjects that must be addressed in rules of the Department of Elderly Affairs; amending s. 400.609, F.S.; authorizing physician services to be provided through contract; prescribing additional facilities in which hospice services may be provided; prescribing responsibility for care and services of persons admitted to hospice programs; providing an effective date.

—was read the second time by title.

The Committee on Health, Aging and Long-Term Care recommended the following amendment which was moved by Senator Clary and adopted:

Amendment 1 (with title amendment)—On page 2, line 23 through page 3, line 17, delete those lines and insert:

Section 2. Subsection (1) of section 400.6085, Florida Statutes, is amended to read:

400.6085 Contractual services.—A hospice may contract out for some elements of its services. However, the core services, as set forth in s. 400.609(1), *with the exception of physician services*, shall be provided directly by the hospice. Any contract entered into between a hospice and a health care facility or service provider must specify that the hospice retains the responsibility for planning, coordinating, and prescribing hospice care and services for the hospice patient and family. A hospice that contracts for any hospice service is prohibited from charging fees for services provided directly by the hospice care team that duplicate contractual services provided to the patient and family.

(1) A contract for hospice services, including inpatient services, must:

- (a) Identify the nature and scope of services to be provided.
- (b) Require that direct patient care shall be maintained, supervised, and coordinated by the hospice care team.
- (c) Limit the services to be provided to only those expressly authorized by the hospice in writing.
- (d) Delineate the roles of hospice staff and contract staff in the admission process and patient assessment.
- (e) Identify methods for ensuring continuity of hospice care.
- (f) Plan for joint quality assurance.
- (g) Specify the written documentation, including patient records, required of contract staff.
- (h) Specify qualifications of persons providing the contract services.
- (i) Specify the effective dates for the contract.

Section 3. Section 400.609, Florida Statutes, is amended to read:

400.609 Hospice services.—Each hospice shall provide a continuum of hospice services which afford the patient and the family of the patient a range of service delivery which can be tailored to specific needs and preferences of the patient and family at any point in time throughout the length of care for the terminally ill patient and during the bereavement

period. These services must be available 24 hours a day, 7 days a week, and must include:

(1) **CORE SERVICES.**—

(a) The hospice care team shall *directly* provide the following core services: ~~physician services~~, nursing services, social work services, pastoral or counseling services, dietary counseling, ~~home health aide services~~, and bereavement counseling services. *Physician services may be provided by the hospice directly or through contract. A hospice may also use contracted staff if necessary to supplement hospice employees in order to meet the needs of patients during periods of peak patient loads or under extraordinary circumstances.*

(b) Each hospice must also provide or arrange for such additional services as are needed to meet the palliative and support needs of the patient and family. These services may include, but are not limited to, physical therapy, occupational therapy, speech therapy, massage therapy, *home health aide services*, infusion therapy, provision of medical supplies and durable medical equipment, day care, homemaker and chore services, and funeral services.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, delete lines 6 and 7 and insert: 400.6085, F.S.; authorizing hospices to contract for physician services; amending s. 400.609, F.S.; authorizing physician services and home health aide services to be provided through contract; authorizing hospices to contract for services under certain circumstances; prescribing

Pursuant to Rule 4.19, **SB 1514** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Dyer—

SB 1464—A bill to be entitled An act relating to the depopulation of the Florida Residential Property and Casualty Joint Underwriting Association; repealing s. 627.3511(5)(b), F.S., relating to the qualification of an insurer for an exemption from certain assessment; providing retroactive application; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1464** was placed on the calendar of Bills on Third Reading.

On motion by Senator Laurent—

CS for SB 1282—A bill to be entitled An act relating to clerks of the circuit court; amending s. 28.001, F.S.; providing that the Official Records are a general series of records; deleting an obsolete reference; amending s. 28.07, F.S.; providing that a register of Official Records be made available at branch offices; deleting an obsolete reference; amending s. 28.222, F.S.; providing that the Official Records are a general series of records; deleting an obsolete reference; amending s. 40.32, F.S.; extending the time within which to pay a witness or a juror; amending s. 45.031, F.S.; requiring the successful bidder at a tax deed sale to pay a specified deposit; amending s. 177.091, F.S.; deleting an obsolete requirement; amending s. 177.111, F.S., deleting a provision that a filed copy of a drawing be made on cloth; amending s. 215.425, F.S.; providing eligibility for extra compensation to employees of the clerk of the circuit court; amending s. 569.11, F.S.; providing that a citation for possession of tobacco by a minor must be paid within a specified time; amending s. 741.09, F.S.; deleting an obsolete reference; repealing s. 142.17, F.S., which requires the Comptroller to prepare blanks and forms for auditing claims; repealing s. 938.09, F.S., relating to collection of certain costs and service charges by the clerk of the circuit court; repealing s. 938.11, F.S., relating to collection of certain surcharges by the clerk in counties containing housing projects; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1282** was placed on the calendar of Bills on Third Reading.

On motion by Senator Hargrett—

SB 160—A bill to be entitled An act relating to domestic violence; amending s. 741.30, F.S.; providing that a child may not obtain an injunction for protection against domestic violence based on acts committed by a family member unless such acts constitute harm or child abuse or neglect; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 1, delete lines 24 and 25 and insert: *found by the court to constitute "harm" or "abuse" or "neglect," as defined in s. 39.01. This paragraph does not*

Pursuant to Rule 4.19, **SB 160** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Kurth—

SB 1268—A bill to be entitled An act relating to regional planning; amending s. 186.507, F.S.; enumerating energy planning as a specific component that may be addressed in a strategic regional policy plan; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1268** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dyer—

CS for SB 892—A bill to be entitled An act relating to the designation of highways; designating various highways in the state as the "Lawton Chiles Trail"; directing the Department of Transportation to erect markers; providing an effective date.

—was read the second time by title.

CO-SPONSORS

On motion by Senator McKay, all Senators not previously shown as co-sponsors were recorded as co-sponsors of **CS for SB 892**.

Pursuant to Rule 4.19, **CS for SB 892** was placed on the calendar of Bills on Third Reading.

On motion by Senator Grant—

CS for SB 990—A bill to be entitled An act relating to trust powers; amending s. 660.41, F.S.; excluding certain banks or associations and trust companies from a prohibition against exercising certain powers and duties and acting within certain capacities in this state; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 990** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rossin—

CS for SB 1264—A bill to be entitled An act relating to consumer finance; amending s. 516.03, F.S.; increasing an application fee; amending ss. 516.05, 520.997, F.S.; requiring licensees to notify the Department of Banking and Finance before relocating a business; requiring a licensee to report bankruptcy filings to the department; amending ss. 516.07, 520.995, F.S.; providing additional grounds for certain disciplinary actions; amending ss. 516.11, 520.996, F.S.; deleting a schedule of examination fees; providing criteria for paying travel expenses and per diem allowances to examiners; amending s. 615.12, F.S.; requiring that licensees make accounts and records available to the Department of

Banking and Finance; amending ss. 520.02, 520.31, 520.61, F.S.; providing additional definitions; amending ss. 520.03, 520.32, 520.52, 520.63, F.S.; clarifying procedures for obtaining certain licenses and imposing certain license application and renewal fees; requiring department notification before relocating certain offices; amending s. 520.07, F.S.; providing for calculating the amount financed; requiring disclosure of additional information under certain installment contracts; requiring evidence of satisfaction of lien under certain installment contracts; amending s. 520.085, F.S.; authorizing certain additional charges under certain installment contracts; providing for a deferment of the due date of certain contracts; providing a fee; providing for the extension of insurance coverage; providing disclosure requirement; amending s. 520.34, F.S.; authorizing sellers under retail installment contracts to collect a processing fee under certain circumstances; amending s. 520.994, F.S.; authorizing rules to allow electronic submission of forms, documents, and fees; amending ss. 559.9232, 681.102, and 697.05, F.S.; conforming cross-references; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1264** was placed on the calendar of Bills on Third Reading.

On motion by Senator Holzendorf—

SB 670—A bill to be entitled An act relating to vessel registration; amending s. 327.25, F.S.; revising exemptions to vessel registration requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 670** was placed on the calendar of Bills on Third Reading.

On motion by Senator Klein—

CS for SB 198—A bill to be entitled An act relating to trial testimony concerning sexual offenses; amending s. 918.16, F.S.; requiring that the court clear the courtroom at the request of a victim during his or her testimony concerning a sexual offense, regardless of the victim's age or mental capacity; providing certain exceptions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 198** was placed on the calendar of Bills on Third Reading.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 2 and concurred in same as amended, receded from House Amendment 1 to Senate Amendment 7, further amended Senate Amendment 7, 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, capital importation of 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 at least 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 (with title amendment) to Senate Amendment 2—On page 1, lines 20-21 remove from the amendment: all of said lines and insert in lieu thereof: *the person. Possession may also be proven by demonstrating that the defendant had the firearm within immediate physical reach with ready access with the intent to use the fire-*

arm during the commission of the offense, if proven beyond a reasonable doubt.

(5) In every case in which a law enforcement agency based a criminal charge on facts demonstrating that the defendant met the criteria in s. 775.087(2)(a)1., 2., or 3. or s. 775.087(3)(a)1., 2., or 3. and in which the defendant did not receive the mandatory penalty, the state attorney must place in the court file a memorandum explaining why the minimum mandatory penalty was not imposed.

And the title is amended as follows:

On page 1, line 30 of the amendment insert after the semicolon: requiring the state attorney to place in court files certain memo-randa;

House Amendment 2 (with title amendment) to Senate Amendment 7—On page 1, lines 17-21 remove from the amendment: all of said lines and insert in lieu thereof: (4) *This section does not apply to law enforcement officers or to United States Military personnel who are performing their lawful duties or who are traveling to or from their places of employment or assignment to perform their lawful duties.*

(5) *The Department of Corrections may spend up to \$500,000 from resources available from the department's appropriation for the 1998-1999 fiscal year to provide public service announcements to advertise the minimum mandatory penalties provided in this section. Notwithstanding any provision to the contrary, this subsection shall take effect upon becoming law.*

And the title is amended as follows:

On page 1, line 29 of the amendment insert after the semicolon: authorizing the Department of Corrections to expend funds for public service announcements;

On motion by Senator Webster, the Senate concurred in the House amendments to the Senate amendments.

CS for CS for HB 113 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, March 24, 1999: CS for SB 64, SB 130, CS for SB 154, CS for SB 144, SB 114, SB 248, CS for SB 264, CS for SB 714, CS for SB 716, CS for SB 288, SB 676, CS for CS for SB 740, SB 826, SB 876, SB 212, SB 712, CS for SB 744, SB 996, SB 1396, SB 326, CS for SB 1280, CS for SB 932, SB 1514, SB 1464, CS for SB 1282, SB 160, SB 1268, CS for SB 892, CS for SB 990, CS for SB 1264, SB 670, CS for SB 198

Respectfully submitted,
John McKay, Chairman

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1358

The Committee on Judiciary recommends the following pass: SB 1176

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

The Committee on Fiscal Resource recommends the following pass: SB 1682

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1894

The Committee on Fiscal Resource recommends the following pass: SJR 124

The Committee on Natural Resources recommends the following pass: SB 2238 with 3 amendments, SB 2240 with 3 amendments

The bills contained in the foregoing reports were referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.

The Committee on Children and Families recommends the following pass: SB 1174

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1308

The Committee on Judiciary recommends the following pass: SB 1586 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1316 with 1 amendment

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

The Committee on Banking and Insurance recommends the following pass: SB 1832 with 1 amendment

The Committee on Children and Families recommends the following pass: SB 1096

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1622 with 3 amendments, SB 1744

The Committee on Criminal Justice recommends the following pass: SB 956, SB 1548

The Committee on Education recommends the following pass: SB 1288 with 1 amendment, SB 1794

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 662, SB 1164 with 1 amendment, SB 1394 with 1 amendment, SB 1976

The Committee on Judiciary recommends the following pass: CS for SB 702 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1266, SB 1422

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

The Committee on Agriculture and Consumer Services recommends the following pass: SB 1582 with 1 amendment

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1030, SB 2252

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1534 with 2 amendments, SB 2286

The Committee on Ethics and Elections recommends the following pass: SB 1782 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1538

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1850 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 1974

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

The Committee on Agriculture and Consumer Services recommends the following pass: SB 1760 with 3 amendments

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 310 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Health, Aging and Long-Term Care under the original reference.

The Committee on Children and Families recommends the following pass: SB 1588 with 1 amendment

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1696 with 1 amendment

The Committee on Criminal Justice recommends the following pass: SB 1910

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

The Committee on Agriculture and Consumer Services recommends the following pass: SB 1118 with 1 amendment

The Committee on Transportation recommends the following pass: SB 2018

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

The Committee on Agriculture and Consumer Services recommends the following pass: SB 1712 with 2 amendments, SB 2006 with 1 amendment

The bills were referred to the Committee on Regulated Industries under the original reference.

The Committee on Children and Families recommends the following pass: SB 960 with 2 amendments, SB 1172

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 2350

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

The Committee on Banking and Insurance recommends the following pass: SB 1472 with 1 amendment

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1076, SB 2256

The Committee on Criminal Justice recommends the following pass: SB 1866 with 1 amendment

The Committee on Education recommends the following pass: SB 148 with 2 amendments, SB 1292 with 1 amendment

The Committee on Ethics and Elections recommends the following pass: SB 2200

The Committee on Fiscal Resource recommends the following pass: SB 16 with 1 amendment, CS for SB 1326, SB 1816

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 120

The Committee on Judiciary recommends the following pass: SB 776 with 1 amendment, SB 830

The Committee on Regulated Industries recommends the following pass: SB 1426

The Committee on Transportation recommends the following pass: SB 142, SB 280, SB 282, SB 816, SB 1312, SB 1526

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

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1294

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 1940

The Committee on Judiciary recommends a committee substitute for the following: SB 1206

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 340

The bill with committee substitute attached was referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 1210

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

The Committee on Children and Families recommends a committee substitute for the following: SB 808

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 252

The Committee on Comprehensive Planning, Local and Military Affairs recommends committee substitutes for the following: CS for SB 214, SB 1150, CS for SB 1284

The Committee on Criminal Justice recommends committee substitutes for the following: Senate Bills 286, 722 and 1074, SB 1260, SB 1428, SB 1606, SB 1614

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: CS for SB 80, SB 1856, SB 1858

The Committee on Health, Aging and Long-Term Care recommends committee substitutes for the following: Senate Bills 834, 1140 and 1612, SB 880

The Committee on Judiciary recommends a committee substitute for the following: SB 294

The Committee on Natural Resources recommends a committee substitute for the following: SB 2282

The bills with committee substitutes attached 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 committee substitutes for the following: SB 322, SB 1478

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends committee substitutes for the following: SB 88, SB 662

The bills with committee substitutes attached were referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 232

The bill with committee substitute attached was referred to the Committee on Health, Aging and Long-Term Care under the original reference.

The Committee on Children and Families recommends a committee substitute for the following: SB 1470

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2054

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 1026

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 746

The Committee on Children and Families recommends a committee substitute for the following: SB 1902

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1510

The Committee on Criminal Justice recommends a committee substitute for the following: SB 370

The Committee on Fiscal Resource recommends committee substitutes for the following: SB 384, SB 986

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: CS for SB 660, CS for SB 802

The Committee on Judiciary recommends committee substitutes for the following: SB 298, SB 1506

The Committee on Regulated Industries recommends committee substitutes for the following: SB 1070, SB 1352

The Committee on Transportation recommends committee substitutes for the following: SB 82, SB 1306, SB 1314

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Jones—

SB 2476—A bill to be entitled An act relating to telecommunications companies; amending s. 364.0251, F.S.; providing for the commission to require local exchange companies to provide competitive provider information in bill inserts; creating s. 364.151, F.S.; providing standards for the interconnection of telecommunications companies; providing for obligations of local exchange companies; providing for negotiation and arbitration of agreements; creating s. 364.152, F.S.; providing procedures for negotiation, arbitration, and approval of agreements among companies; requiring approval by the commission; amending s. 364.16, F.S.; deleting local interconnection requirements; providing for access to local telephone numbering resources; amending s. 364.161, F.S.; revising requirements for unbundling and resale; amending s. 364.162, F.S.; revising requirements for interconnection and resale pricing; amending s. 364.285, F.S.; increasing administrative penalties; providing for damage suits and alternative penalties; amending s. 364.30, F.S.; directing the commission to resolve routing disputes; amending s. 364.3382, F.S.; providing for monthly bill inserts of pricing options; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Dawson-White—

SB 2478—A bill to be entitled An act relating to the Relative Caregiver Program; amending s. 39.5085, F.S.; providing that a relative caregiver is eligible for assistance under the program following the long-term placement of a child with the caregiver pursuant to a court order or an order of guardianship; providing that the relative caregiver of a special needs child is eligible to receive a specified amount of assistance under the program; providing that a relative caregiver who adopts a mentally retarded, physically handicapped, or emotionally handicapped child is eligible to receive the adoption subsidy provided to adoptive parents; providing an effective date.

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

By Senator Dawson-White—

SB 2480—A bill to be entitled An act relating to insurance; creating s. 627.4045, F.S.; authorizing insurers to collect premium security deposits and establishing guidelines for their use; defining the term "premium security deposit"; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Dawson-White—

SJR 2482—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution, relating to exemption from taxes, to authorize tax exemption of certain property owned by a municipality or special district.

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

By Senator Jones—

SB 2484—A bill to be entitled An act relating to domestic partners; providing for the establishment of domestic partnerships; defining terms; providing conditions; providing for filing of forms with the Secretary of State; providing contents of such forms; authorizing the Secretary of State to create such forms by rule and to charge fees associated with the filing of such forms; providing procedures for terminating a domestic partnership; providing legal effect of such partnerships; requiring health care facilities to provide visitation rights to a patient's domestic partner and certain other specified persons; requiring group health care service plans and group disability insurance policies that provide certain hospital, medical, or surgical expense benefits for employees or subscribers to provide benefits to such person's domestic partner and other specified persons; providing an effective date.

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

By Senator Klein—

SB 2486—A bill to be entitled An act relating to pupil and student records and reports; amending s. 228.093, F.S.; providing that this section does not prohibit the disclosure of certain disciplinary records containing information that personally identifies a student who has committed a crime of violence; providing an effective date.

—was referred to the Committee on Education.

By Senator Campbell—

SB 2488—A bill to be entitled An act relating to Department of Highway Safety and Motor Vehicles; repealing s. 322.142(5) and (6), F.S., relating to color photographic or digital imaged licenses; eliminating provisions permitting the Department of Highway Safety and Motor Vehicles to sell certain information related to driver's licenses and other information; providing an effective date.

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

By Senator Jones—

SB 2490—A bill to be entitled An act relating to charter county transit system surtaxes; amending s. 212.055, F.S.; providing for the proceeds from such tax to be used to expand, operate, and maintain a fixed-guideway system and to pay fund bonds issued to construct bus systems; providing an effective date.

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

By Senator Jones—

SB 2492—A bill to be entitled An act relating to the public transit block grant program; amending s. 341.052, F.S.; deleting a limitation on the funds available for distribution to a county; providing an effective date.

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

By Senator Jones—

SB 2494—A bill to be entitled An act relating to the administration and financing of public transit programs and projects; amending s. 341.051, F.S.; increasing the percentage of the nonfederal share of the costs of certain eligible public transit capital projects or commuter assistance projects which may be funded by the Department of Transportation; providing an effective date.

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

By Senator Horne—

SB 2496—A bill to be entitled An act relating to the tax on intangible personal property; amending ss. 199.023, 199.052, 199.175, F.S.; redefining the term "beneficial interest"; exempting trustees from paying the tax on trusts that they administer; amending s. 199.143, F.S.; revising the method of calculating the tax on future advances; providing an effective date.

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

By Senator Kirkpatrick—

SB 2498—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.05, F.S.; providing an exemption on the sale of a thoroughbred horse to a nonresident of this state; providing conditions that must be met by the purchaser and the seller; providing an effective date.

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

By the Committee on Budget—

SB 2500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1999, and ending June 30, 2000, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Budget.

By the Committee on Fiscal Policy—

SB 2502—A bill to be entitled An act implementing the 1999-2000 General Appropriations Act; providing legislative intent; amending s. 216.292, F.S.; authorizing the Department of Children and Family Services and the Agency for Health Care Administration to transfer general revenue funds between them; providing that specified funds are to be used to increase the adult mental health equity funding in specified districts of the Department of Children and Family Services and are not subject to the provisions of s. 394.908, F.S.; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 1999-2000 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; authorizing the Departments of Children and Family Services, Revenue, Labor and Employment Security, and Health and the Agency for Health Care Administration to transfer positions and funds to comply with the 1999-2000 General Appropriations Act or the WAGES Act; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services to use certain funds for

fixed capital outlay expenditures to meet certain federal standards; requiring the Agency for Health Care Administration to take necessary actions to ensure that expenditures for Medicaid transportation do not exceed the amount budgeted and to take certain steps if that becomes impossible; amending s. 216.181, F.S.; authorizing the Department of Law Enforcement to transfer some positions and associated budget and a certain percentage of salary rate between budget entities and providing requirements with respect thereto; authorizing the Department of Law Enforcement to participate in the model career service classification and compensation system, subject to certain conditions; authorizing the Department of Law Enforcement to use certain moneys to provide meritorious-performance bonuses for employees, subject to approval; authorizing the Correctional Privatization Commission and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening a facility of the commission or the department; amending s. 287.064, F.S.; authorizing the Department of Law Enforcement to finance, through the Comptroller's consolidated major equipment financing program, the purchase of certain equipment, software, and services for the Florida Crime Information Center; amending s. 212.20, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; providing for certain counties to use moneys received for aquatic weed control for recycling purposes; amending s. 403.7095, F.S.; revising the expiration date of the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; providing for allocation of funds for innovative programs to address recycling practices and procedures; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; amending s. 373.59, F.S.; requiring release of certain moneys by the Secretary of Environmental Protection to water management districts, upon request; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; providing for deposit and use of such fees; amending s. 15.09, F.S.; authorizing the appropriation of funds from the Public Access Data Systems Trust Fund for the operations of the Department of State; amending s. 253.034, F.S.; authorizing the Department of Transportation to sell certain property used by the Department of Highway Safety and Motor Vehicles; amending s. 334.0445, F.S.; revising the expiration date for the model career service classification and compensation plan; amending s. 216.181, F.S.; authorizing the Department of Transportation to transfer salary rate to the turnpike budget entity to facilitate transferring personnel to the turnpike headquarters facility in Orange County; amending ss. 601.02, 601.15, F.S.; providing for transfer of funds to the Department of Agriculture and Consumer Services for citrus canker eradication; prescribing powers of the Commissioner of Education to reorganize entities, duties, and functions within the Department of Education; providing a limitation; providing for a report; providing for allocation of moneys provided for workforce development and providing for budget amendment when a program is moved; providing for future repeal of various provisions; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing performance measures and standards for individual programs within state agencies; providing that the performance measures and standards are directly linked to the appropriations made in the 1999-2000 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing an effective date.

—was referred to the Committee on Fiscal Policy.

By Senator Geller—

SB 2504—A bill to be entitled An act relating to fire prevention and control; amending s. 633.061, F.S.; providing for biennial licensure of persons servicing, recharging, repairing, testing, marking, inspecting, or installing fire extinguishers and systems; providing license and permit fees; amending s. 633.021, F.S.; defining the terms "servicing," "inspection," and "marking"; providing an effective date.

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

By Senator Holzendorf—

SB 2506—A bill to be entitled An act making supplemental appropriations; appropriating \$57,867,368 from the General Revenue Fund to the Division of Public Schools and Community Education of the Department of Education for fiscal year 1998-1999 to eliminate the proration of funds which occurred in the 1997-1998 Florida Education Finance Program final calculation; providing an effective date.

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

By Senator Holzendorf—

SB 2508—A bill to be entitled An act relating to the Florida Birth-Related Neurological Injury Compensation Association; amending ss. 766.301, 766.31, F.S.; providing clarification of legislative intent as to the circumstances in which awards may be made, respectively, under s. 766.31(1)(a), F.S., or s. 766.31(1)(b), F.S.; providing retroactive applicability; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Diaz-Balart—

SB 2510—A bill to be entitled An act relating to fees for self-help services; creating s. 25.389, F.S.; authorizing the chief judge of each circuit to establish the amount of the fees; amending s. 25.388, F.S.; providing for funds to be deposited in the Family Courts Trust Fund; providing an effective date.

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

By Senator Diaz-Balart—

SB 2512—A bill to be entitled An act relating to unattended children in motor vehicles; amending s. 316.6135, F.S.; revising provisions relating to leaving children unattended in motor vehicles; prohibiting leaving children younger than a specified age unattended in a motor vehicle; providing criminal penalties; providing an effective date.

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

SR 2514—Not referenced.

By Senator Rossin—

SB 2516—A bill to be entitled An act relating to insurance consumer fraud; expressing the legislative intent to revise laws relating to insurance consumer fraud; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Agriculture and Consumer Services.

By Senator Forman—

SB 2518—A bill to be entitled An act relating to driver licenses; amending s. 322.12, F.S.; requiring tests of certain elderly drivers at designated intervals; amending s. 322.18, F.S.; creating a 3-year license for certain drivers; amending s. 322.21, F.S.; revising the fee for certain original or renewal driver licenses; providing an effective date.

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

By Senator Dawson-White—

SB 2520—A bill to be entitled An act relating to children's health; amending s. 409.8132, F.S.; providing for year-round enrollment in the

Medikids program; revising enrollment procedures; amending s. 409.8134, F.S.; providing for a statewide enrollment ceiling for the Florida Kidcare program; amending s. 409.814, F.S.; revising eligibility for certain children under the Florida Kidcare program; amending s. 409.904, F.S.; revising eligibility for certain children under the Medicaid program; providing for presumptive eligibility under certain circumstances; amending s. 624.91, F.S.; providing for year-round enrollment under the Florida Healthy Kids Corporation program; revising contract standards; eliminating authority of the corporation to establish local matching fund requirements; providing an effective date.

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

By Senator Holzendorf—

SB 2522—A bill to be entitled An act relating to reinsurance; amending s. 624.610, F.S.; setting the conditions for the allowance of credit for reinsurance; providing definitions; providing that the provisions of s. 120.60, F.S., do not apply to accreditation applications or procedures; providing for grounds for denial or revocation of an assuming insurer's accreditation; providing criteria for the disallowance of credit for reinsurance for a ceding insurer; providing for the payment of costs and expenses; providing conditions for the allowance or disallowance of credit for reinsurance for assuming insurers maintaining trust funds in qualified United States financial institutions; providing intent that there is no conflict with arbitration agreements; providing for security; providing for the inclusion of certain health maintenance organizations within the term "ceding insurer"; providing conditions for the disallowance of credit with respect to a ceding domestic insurer; providing conditions for credit for reinsurance in cases of insolvency; providing for rights against a reinsurer; providing prohibitions applying to authorized insurers, other than certain surplus lines insurance; providing procedures and information required for a summary statement of each treaty; providing for exemptions from requirement of summary statements; providing for waiver; providing for cancellation; providing that there is no credit when there is no transfer of risk; granting authority to the Department of Insurance for rulemaking; providing an effective date for the application of cessions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Dawson-White—

SB 2524—A bill to be entitled An act relating to Medicaid; amending s. 409.904, F.S.; providing eligibility for preventive family planning services for persons who meet certain criteria, subject to specific federal authorization; directing the Agency for Health Care Administration to seek federal waivers as necessary; providing an effective date.

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

By Senator Diaz-Balart—

SB 2526—A bill to be entitled An act relating to developmental disabilities; amending ss. 393.063, 393.0651, F.S.; redefining the term "support coordinator"; providing legislative intent; providing that an individual who has a developmental disability, and the individual's family or guardian, may choose whether to have the assistance of a support coordinator; requiring the Agency for Health Care Administration to submit to the Federal Health Care Financing Administration an amendment to the state's Medicaid Developmental Services Waiver; providing an effective date.

—was referred to the Committee on Children and Families.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Governmental Oversight and Productivity; Commerce and Economic Opportunities; and Senators Grant, Campbell, Klein, Brown-Waite and Bronson—

CS for CS for SB 80—A bill to be entitled An act relating to information technology resources; creating the "Commerce Protection Act"; defining terms; prescribing exclusive remedies against persons, businesses, and governmental agencies for damages caused by the failure of their information technology resources to function properly with respect to date data; prescribing and limiting damages; prescribing conditions precedent to maintaining or defending actions; barring certain class actions; requiring that actions be brought within a specified time; providing immunity from personal liability for directors and officers of businesses under specified circumstances; prohibiting solution providers from misusing or disclosing specified information provided to them; providing for remedies and damages for unlawful use or disclosure of that information; providing criminal penalties; exempting the exchange of certain information among businesses from action under the Florida Antitrust Act of 1980; prescribing alternative dispute-resolution procedures; providing for liability for costs and attorney's fees under specified circumstances; prescribing circumstances under which the maker of a year-2000 statement is not liable under state law with respect to that statement; providing for construction of the act; repealing s. 282.4045, F.S., which grants immunity from liability to governmental entities for certain computer calculation failures; providing for severability; providing an effective date.

By the Committee on Transportation and Senators Brown-Waite and Latvala—

CS for SB 82—A bill to be entitled An act relating to road and bridge designation; codesignating a portion of State Road 54 in Pasco County as the "State Trooper James Crooks Highway"; directing the Department of Transportation to erect suitable signs; designating the Florida Highway Patrol substation on State Road 52 in Land O'Lakes as the "State Trooper James Crooks Substation"; directing the Department of Highway Safety to erect suitable markers; directing the Department of Transportation to erect two additional markers for the "Purple Heart Highway" on State Road 54; designating a portion of Southwest 87th Avenue from Coral Way to Bird Road in Miami-Dade County as the "Saint Marcellin Champagnat Way"; directing the Department of Transportation to erect suitable markers; designating a portion of Highway 20 lying west of the Apalachicola River Bridge in Calhoun County to the Bay County line on the west as the "Fuller Warren Parkway"; directing the Department of Transportation to erect suitable markers; designating a portion of U.S. Highway 98 in Franklin County as the "Camp Gordon Johnston Memorial Highway"; directing the Department of Transportation to erect suitable markers; designating a specified bridge in Fort Lauderdale the "E. Clay Shaw, Jr. Bridge"; designating a specified portion of highway in Fort Lauderdale the "Commodore Brook Memorial Causeway"; directing the Department of Transportation to erect suitable markers; designating a portion of U.S. Highway 90 in Jefferson and Leon counties as a part of the "Florida Arts Trail"; directing the Department of Transportation to erect suitable signs; designating a portion of State Road 9 from 58th Street to County Line Road as the "Carrie P. Meek Boulevard"; directing the Department of Transportation to erect suitable markers; naming the Destin Bridge at East Pass the "William T. Marler Bridge"; directing the Department of Transportation to erect suitable markers; designating U.S. Highway 27 as the "Claude Pepper Memorial Highway"; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Casas—

CS for SB 88—A bill to be entitled An act creating Hialeah County; creating s. 7.275, F.S.; describing the boundaries of the county; amending s. 7.13, F.S.; revising the boundaries of Dade County; providing for Hialeah County to assume certain assets and liabilities of Dade County;

providing for an election for officers of Hialeah County; providing for a referendum; providing an effective date.

By the Committees on Comprehensive Planning, Local and Military Affairs; Commerce and Economic Opportunities; and Senator Silver—

CS for CS for SB 214—A bill to be entitled An act relating to empowerment zones; creating s. 290.0491, F.S.; creating the “Florida Empowerment Zone Act”; defining terms; providing legislative intent; providing for administration by the Department of Community Affairs; providing an appropriation; providing requirements for eligibility; amending s. 212.097, F.S.; defining as a “qualified high-crime area” areas receiving 1999 federal empowerment zone designation; amending s. 212.098, F.S.; defining as a “qualified county” a county that contains an area receiving 1999 enterprise community designation; amending s. 290.0065, F.S.; designating areas receiving 1999 federal empowerment zone or rural enterprise community designations as state enterprise zones and authorizing satellite enterprise zones; providing an effective date.

By the Committee on Banking and Insurance; and Senators Latvala, Campbell, Gutman, Silver, Meek and Mitchell—

CS for SB 232—A bill to be entitled An act relating to health care; amending s. 641.3903, F.S.; providing that certain actions by a health maintenance organization against a provider based on the provider’s communication of certain information to a patient are unfair or deceptive practices; amending s. 641.315, F.S.; requiring certain written notice in order to terminate certain provider contracts; providing limitations on the use of such notice; amending s. 641.51, F.S.; providing for continued care of subscribers when certain provider contracts are terminated; providing for applicability of the act; providing an effective date.

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

CS for SB 252—A bill to be entitled An act relating to workforce development; directing the Division of Statutory Revision to designate certain sections of the Florida Statutes as part XI, relating to Workforce Development; transferring, renumbering, and amending s. 446.601, F.S.; conforming cross-references; deleting provisions governing services of One-Stop Career Centers; revising components of the state’s workforce development strategy; transferring, renumbering, and amending s. 446.604, F.S.; providing for the state’s One-Stop Career Center customer service delivery strategy; specifying partners; providing for oversight and operation of centers by regional workforce development boards and center operators; providing for transfer of responsibilities; providing for assigning and leasing of employees; providing for employment preference; providing for memorandums of understanding and sanctions; providing for electronic service delivery; authorizing Intensive Service Accounts and Individual Training Accounts and providing specifications; transferring, renumbering, and amending s. 288.9620, F.S.; providing for membership of the Workforce Development Board pursuant to federal law; providing for committees; requiring financial disclosure; authorizing the board as the Workforce Investment Board; specifying functions, duties, and responsibilities; providing for sanctions; providing for carryover of funds; requiring a performance measurement system and reporting of such; transferring, renumbering, and amending s. 446.602, F.S.; providing for membership of regional workforce development boards pursuant to federal law; prohibiting certain activities that create a conflict of interest; providing for transition; providing for performance and compliance review; correcting organizational name references; requiring a local plan; providing for oversight of One-Stop Career Centers; authorizing local committees; establishing high skills/high wages committees; transferring, renumbering, and amending s. 446.607, F.S.; conforming cross-references; providing for consolidated board membership requirements; transferring, renumbering, and amending s. 446.603, F.S.; conforming cross-references; expanding the scope of the Untried Worker Placement and Employment Incentive Act; abrogating scheduled repeal of program; creating s. 288.9956, F.S.; providing principles for implementing the federal Workforce Investment Act of 1998; providing for a 5-year plan; specifying funding distribution; creating the Incumbent Worker Training Program; providing program requirements;

requiring a report; authorizing the Workforce Development Board to contract for administrative services related to federal funding; specifying contractual agreements; providing for indemnification; providing for settlement authority; providing for compliance with federal law; providing for workforce development review; providing for termination of state set-aside; creating s. 288.9957, F.S.; requiring designation of the Florida Youth Workforce Council; providing for membership and duties; providing for allocation of funds; creating s. 288.9958, F.S.; requiring appointment of the Employment, Occupation, and Performance Information Coordinating Committee; providing for membership and duties; providing for services and staff; creating s. 288.9959, F.S.; requiring appointment of the Operational Design and Technology Procurement Committee; providing for membership and duties; providing for services and staff; amending s. 288.901, F.S.; conforming a cross-reference; amending s. 288.902, F.S.; deleting an obsolete cross-reference; amending s. 414.026, F.S.; conforming a cross-reference; repealing s. 446.20, F.S., which provides for administration of responsibilities under the federal Job Training Partnership Act; repealing s. 446.205, F.S., which provides for a Job Training Partnership Act family drop-out prevention program; repealing s. 446.605, F.S., which provides for applicability of the Workforce Florida Act of 1996; repealing s. 446.606, F.S., which provides for designation of primary service providers; providing an effective date.

By the Committee on Criminal Justice and Senators Campbell, Silver and Hargrett—

CS for SB’s 286, 722 and 1074—A bill to be entitled An act relating to criminal use of personal identification information; creating s. 817.568, F.S.; providing definitions; providing that a person who willfully and without authorization uses, or possesses with intent to use, personal identification information concerning an individual without previously obtaining the individual’s consent commits either the offense of fraudulent use of personal identification information or the offense of harassment by use of personal identification information, depending on specified circumstances; providing penalties; providing for nonapplicability of the new provisions to specified law enforcement activities; providing for restitution, including attorney’s fees and costs, to the victim; providing that the court may issue orders to correct public records that contain false information given in violation of this section; providing for prosecution by the state attorney or the statewide prosecutor; reenacting s. 464.018(1)(d), F.S., relating to disciplinary actions for violations of the Nurse Practice Act, s. 772.102(1)(a), F.S., relating to definition of “criminal activity” with respect to the Civil Remedies for Criminal Practices Act, and s. 895.02(1)(a), F.S., relating to definition of “racketeering activity,” providing for incorporation of said new section in references to ch. 817, F.S.; providing an effective date.

By the Committee on Judiciary—

CS for SB 294—A bill to be entitled An act relating to debtors and creditors; amending s. 15.16, F.S.; providing for electronic filing of records with the Department of State; amending s. 30.17, F.S.; providing for phase-out of sheriff’s execution docket; amending s. 30.231, F.S.; clarifying seizure of property for levy; amending s. 48.021, F.S.; providing for a sheriff to periodically add names of process servers to list; creating s. 55.201, F.S.; requiring the Department of State to establish a database of judgment lien records; creating s. 55.202, F.S.; providing for acquisition of a judgment lien on personal property; creating s. 55.203, F.S.; providing requirements for the content, filing, and indexing of judgment lien certificates by the Department of State; creating s. 55.204, F.S.; providing for lapse of a judgment lien; providing for acquisition of a second judgment lien; creating s. 55.205, F.S.; providing for the effect of a judgment lien; creating s. 55.206, F.S.; providing for amendment, termination, partial release, assignment, tolling, or correction of a recorded judgment lien; creating s. 55.207, F.S.; providing for filing and effect of a correction statement as to a judgment lien record; creating s. 55.208, F.S.; providing for phase-out of effect of writs of execution delivered to a sheriff prior to a date certain; creating s. 55.209, F.S.; providing for the responsibilities of the Department of State and for filing fees; amending s. 55.604, F.S.; limiting the effect of a foreign judgment as a lien on personal property in this state; amending s. 56.09, F.S.; providing for limited levy of executions against persons; amending s. 56.21, F.S.; providing for notice of levy and execution sale and affidavit of levying creditor to judgment creditors and certain secured creditors;

amending s. 56.27, F.S.; providing for payment distribution of money collected under execution; amending s. 56.29, F.S.; clarifying who may file an affidavit for purposes of supplementary proceedings; amending s. 61.11, F.S.; requiring respondent to pay certain costs and expenses associated with writs of bodily attachment in connection with court-ordered child support obligations; amending s. 77.01, F.S.; providing entities with right to writ of garnishment; creating s. 77.041, F.S.; providing for notice of procedures for asserting exemptions and requesting a hearing; amending s. 77.055, F.S.; clarifying requirements for service of garnishee's answer and notice of right to dissolve writ of garnishment; amending s. 77.06, F.S.; providing for creation of judgment lien upon service of writ of garnishment; amending s. 222.12, F.S.; providing for taking of oath before notary public regarding exemptions from garnishment; amending s. 679.301, F.S.; revising the definition for lien creditor; providing effective dates.

By the Committee on Judiciary and Senator Geller—

CS for SB 298—A bill to be entitled An act relating to probate; amending s. 732.201, F.S.; revising language with respect to the right to elective share; creating s. 732.2025, F.S.; providing definitions; creating s. 732.2035, F.S.; providing for property entering into the elective estate; creating s. 732.2045, F.S.; providing for exclusions and overlapping application; amending s. 732.205, F.S.; providing for the valuation of the elective estate; amending s. 732.206, F.S.; providing for the elective share amount; amending s. 732.207, F.S.; providing for the sources from which the elective share is payable; providing for abatement; amending s. 732.208, F.S.; providing for the liability of direct recipients and beneficiaries; amending s. 732.209, F.S.; providing for the valuation of the property used to satisfy the elective share; amending s. 732.210, F.S.; providing for the effect of the election on other interests; amending s. 732.211, F.S.; providing for the protection of payors and other third parties; amending s. 732.212, F.S.; providing who may exercise the right of election; amending s. 732.213, F.S.; providing for the time of election; providing for extensions and for withdrawal; amending s. 732.214, F.S.; providing for the order of contribution; providing for the personal representative's duty to collect contributions; amending s. 732.215, F.S.; providing for the effective date, inapplicability of ch. 61, F.S., the effect of prior waivers, and transition rules; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Klein—

CS for SB 322—A bill to be entitled An act relating to housing; amending s. 195.1975, F.S.; amending criteria for exempting property used by nonprofit homes for the aged from ad valorem taxes; creating s. 196.1978, F.S.; providing that property used to provide housing for persons with incomes defined under ch. 420, F.S., and owned by certain nonprofit corporations, is exempt from ad valorem taxation; providing for retroactive application; amending s. 170.201, F.S.; granting municipalities the option of exempting certain nonprofit housing from special assessments from any service; creating ss. 220.185 and 420.5093, F.S.; creating the State Housing Tax Credit Program; providing legislative findings and policy; providing definitions; providing for a credit against the corporate income tax in an amount equal to a percentage of the eligible basis of certain housing projects; providing a limitation; providing for allocation of credits and administration by the Florida Housing Finance Corporation; providing for an annual plan; providing application procedures; providing that neither tax credits nor financing generated thereby shall be considered income for ad valorem tax purposes; providing for recognition of certain income by the property appraiser; amending s. 420.503, F.S.; providing that certain projects shall qualify as housing for the elderly for purposes of certain loans under the State Apartment Incentive Loan Program, and shall qualify as a project targeted for the elderly in connection with allocation of low-income housing tax credits and with the HOME program under certain conditions; amending s. 420.5087, F.S.; directing the Florida Housing Finance Corporation to adopt rules for the equitable distribution of certain unallocated funds under the State Apartment Incentive Loan Program; providing effective dates.

By the Committee on Regulated Industries and Senator Gutman—

CS for SB 340—A bill to be entitled An act relating to alcohol sales; amending s. 567.01, F.S.; providing for local option elections to determine sales of intoxicating liquors, wines, or beer by the drink; amending s. 567.06, F.S.; providing ballot instructions for local option elections; amending s. 567.07, F.S.; providing for a local option election for sole purpose of determining whether intoxicating liquors, wines, or beer may be sold by the drink for consumption on premises; providing an effective date.

By the Committee on Criminal Justice and Senator Meek—

CS for SB 370—A bill to be entitled An act relating to domestic violence; amending s. 741.31, F.S.; providing that it is unlawful for a person subject to an injunction for protection against domestic violence to refuse to surrender any firearm or ammunition in his or her custody, or to interfere with or obstruct a law enforcement officer enforcing the injunction; providing a penalty; amending s. 787.04, F.S.; providing that it is unlawful for any noncustodial parent or respondent subject to an injunction for protection against domestic violence to lead, take, entice, or remove a minor from the custodial parent or any child care provider or other person entrusted by the custodial parent with the care of the minor or to conceal the location of the minor, in violation of the injunction; providing a penalty; reenacting s. 901.15(6), F.S., relating to when an arrest is made by a law enforcement officer without a warrant to incorporate said amendment in a reference; providing an effective date.

By the Committee on Fiscal Resource and Senators Gutman and Meek—

CS for SB 384—A bill to be entitled An act relating to homestead exemption; creating s. 196.075, F.S.; authorizing boards of county commissioners and municipal governing authorities to grant by ordinance an additional homestead exemption for persons 65 and older whose household income does not exceed a specified amount; defining the terms "household" and "household income"; providing requirements for the ordinances; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Children and Families; and Senators Brown-Waite and McKay—

CS for CS for SB 660—A bill to be entitled An act relating to foster care and related services; amending s. 409.1671, F.S.; providing that the department transfer to the lead agency documented federal funds earned by the agency in excess of the amount specified in the contract; providing that the earned federal funds be used for providing additional child welfare services; providing that the contract be amended to permit expenditure of federal funds; specifying that an agency that provides foster care and related services pursuant to s. 409.1671, F.S., under contract with the Department of Children and Family Services is an instrumentality of the state; providing limitations on certain tort actions brought against the provider; requiring providers to procure liability insurance coverage; declaring legislative intent with respect to payment of claims; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Carlton—

CS for SB 662—A bill to be entitled An act relating to expedited permitting; providing legislative intent with respect to creating a state-wide one-stop permitting system; amending s. 14.2015, F.S.; deleting provisions authorizing the Office of Tourism, Trade, and Economic Development to make recommendations to the Legislature on improving permitting procedures; amending s. 288.021, F.S.; authorizing the appointment of certain economic development liaisons; creating s. 288.109, F.S.; requiring that the Department of Management Services establish a One-Stop Permitting System using the Internet; providing requirements for the system; requiring that the department develop a protocol for adding state agencies and counties to the One-Stop Permitting System; specifying the various state agencies to be provided access to the

system; requiring a permit that is filed using the One-Stop Permitting System to be approved or denied within a specified time; providing for a temporary waiver of the permit fee for applications filed using the One-Stop Permitting System; creating s. 288.1092, F.S.; creating the One-Stop Permitting System Grant Program within the Department of Management Services; providing for grant moneys to be awarded to counties certified as Quick Permitting Counties; providing requirements for the use of grant moneys; creating s. 288.1093, F.S.; creating the Quick Permitting County Designation Program within the Department of Management Services; providing criteria under which the department may designate a county as a Quick Permitting County; creating s. 288.1095, F.S.; requiring that the Office of Tourism, Trade, and Economic Development, Enterprise Florida, Inc., and state agencies provide information on the One-Stop Permitting System and the Quick Permitting Counties; repealing ss. 403.950, 403.951, 403.952, 403.953, 403.954, 403.955, 403.9551, 403.956, 403.957, 403.958, 403.959, 403.960, 403.961, 403.9615, 403.962, 403.963, 403.964, 403.965, 403.966, 403.967, 403.968, 403.969, 403.970, 403.971, 403.972, F.S., relating to the Florida Jobs Siting Act; amending s. 403.973, F.S.; providing that certain projects located in certain counties may be certified as eligible for expedited permitting; requiring that the Office of Tourism, Trade, and Economic Development delegate certain responsibilities to a county designated as a Quick Permitting County; requiring a memorandum of agreement for projects that qualify for expedited review; providing requirements for such memoranda of agreement; deleting obsolete provisions; providing an appropriation; providing an effective date.

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

CS for SB 746—A bill to be entitled An act relating to title insurance; making legislative findings; amending ss. 624.509, 626.841, 626.8411, 626.9541, 627.7711, 627.777, 627.7773, 627.7776, 627.780, 627.783, 627.7831, 627.784, 627.7841, 627.7842, 627.7845, 627.786, 627.791, and 627.792, F.S.; revising and clarifying application of provisions relating to title insurance agents, policies, premiums, rates, contracts, charges, and practices; amending s. 627.7711, F.S.; revising definitions; amending s. 627.782, F.S.; providing a limitation on payment of portions of premiums for primary title services; authorizing the Department of Insurance to adopt rules; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Education; and Senator McKay—

CS for CS for SB 802—A bill to be entitled An act relating to education; amending s. 231.40, F.S.; providing for payment into pretax annuities for accumulated sick leave to certain employees of district school systems; limiting the amount of pay certain employees of district school systems may receive for unused sick leave upon termination of employment; amending s. 231.481, F.S.; limiting the amount of pay certain employees of district school systems may earn for unused vacation leave upon termination of employment; amending s. 240.343, F.S.; providing for community college district boards of trustees to adopt rules allowing payment for unused sick leave into pretax retirement accounts; limiting the amount of pay certain employees of community college districts may receive for unused sick leave upon termination of employment; providing an effective date.

By the Committee on Children and Families; and Senator Diaz-Balart—

CS for SB 808—A bill to be entitled An act relating to child support enforcement; amending s. 61.052, F.S.; requiring additional information on children of the marriage and parties to a dissolution of marriage; amending s. 61.13, F.S.; requiring certain identifying information for each minor that is the subject of a child support order; amending s. 61.1301, F.S.; clarifying that child support payments will be made to the State Disbursement Unit; amending s. 61.13016, F.S.; providing a time certain for delinquency in payment; amending s. 61.14, F.S.; deleting the requirement that a certified copy of the support order accompany a certified statement of delinquent support payments; amending s. 61.1824, F.S.; clarifying that support payments will be paid to the State Disbursement Unit; amending s. 61.1825, F.S.; defining family violence indicator; amending s. 61.1826, F.S.; amending penalty requirement;

amending s. 409.2558, F.S.; providing for review of agency action and for overpayment recovery; authorizing the Department of Revenue to adopt rules; amending s. 409.2561, F.S.; providing that the court shall establish liability of an obligor in compliance with the child support guidelines; deleting an obsolete reference; amending s. 409.2564, F.S.; providing for department authority associated with subpoenas; providing for a fine; amending s. 409.25641, F.S.; providing that the term automated administrative enforcement is defined under the Social Security Act; amending s. 409.25656, F.S.; providing that an obligor may consent in writing to a levy; amending s. 409.25657, F.S.; providing that the department shall coordinate with the Federal Parent Locator Service, where applicable, to develop and operate a data match system; providing that the financial institution is required to provide an average daily balance; amending s. 409.2577, F.S.; deleting a redundant statement; providing for appropriations; amending s. 741.04, F.S.; modifying the requirement that a social security number or other documentation be provided prior to the issuing of a marriage license; amending s. 839.13, F.S.; allowing redaction or removal of social security numbers on court filed documents; providing for contingent repeal of provisions allowing such redaction; providing trust fund reimbursement to certain counties; providing an effective date.

By the Committee on Health, Aging and Long-Term Care; and Senators Brown-Waite, Meek and Campbell—

CS for SB's 834, 1140 and 1612—A bill to be entitled An act relating to nursing home facilities; creating s. 400.0078, F.S.; requiring the Office of State Long-Term Care Ombudsman to establish a statewide toll-free telephone number; amending s. 400.022, F.S.; providing immediate access to residents for representatives of the Office of the Attorney General; creating s. 400.0225, F.S.; directing the Agency for Health Care Administration to contract for consumer satisfaction surveys for nursing home residents; providing procedures and requirements for use of such surveys; amending s. 400.0255, F.S.; defining terms relating to facility decisions to transfer or discharge a resident; providing procedures, requirements, and limitations; requiring notice to the agency under certain circumstances; providing for review of a notice of discharge or transfer by the district long-term care ombudsman, upon request; specifying timeframes; amending s. 400.071, F.S.; providing additional requirements for licensure and renewal; providing a certificate-of-need preference for Gold Seal licensees; creating s. 400.118, F.S.; directing the agency to establish a quality assurance early warning system; providing for quality-of-care monitoring; providing duties of monitors; excluding certain information from discovery or introduction in evidence in civil or administrative actions; providing for rapid response teams; amending s. 400.121, F.S.; authorizing the agency to require certain facilities to increase staffing; authorizing such facilities to request an expedited interim rate increase; providing a penalty; amending s. 400.141, F.S.; providing requirements for appointment of a medical director; providing for resident use of a community pharmacy and for certain repackaging of prescription medication; providing for immunity from liability in the administration of repackaged medication; revising conditions for encouraging facilities to provide other needed services; requiring public display of certain assistance information; authorizing Gold Seal facilities to develop programs to provide certified nursing assistant training; amending s. 400.162, F.S.; revising procedures and policies regarding the safekeeping of residents' property; amending s. 400.19, F.S., relating to the agency's right of entry and inspection; providing a time period for investigation of certain complaints; amending s. 400.191, F.S.; revising requirements for provision of information to the public by the agency; amending s. 400.215, F.S.; providing for nursing home employees to work on a probationary basis upon meeting certain minimal screening requirements; authorizing certain employers direct access to databases for employment screening; requiring notification within a specified time of approval or denial of a request for an exemption from employment disqualification; amending s. 400.23, F.S.; abolishing the Nursing Home Advisory Committee; revising the system for evaluating facility compliance with licensure requirements; eliminating ratings and providing for standard or conditional licensure status; directing the agency to adopt rules to provide minimum staffing requirements for nursing homes and to allow certain staff to assist residents with eating; increasing the maximum penalty for all classes of deficiencies; creating s. 400.235, F.S.; providing for development of a Gold Seal Program for recognition of facilities demonstrating excellence in long-term care; establishing a Panel on Excellence in Long-Term Care under the Executive Office of

the Governor; providing membership; providing program criteria; providing for duties of the panel and the Governor; providing for agency rules; providing for biennial relicensure of Gold Seal Program facilities, under certain conditions; amending s. 400.241, F.S.; making it unlawful to warn a nursing home of an unannounced inspection; amending s. 408.035, F.S.; providing certificate-of-need review criteria for Gold Seal facilities; creating s. 408.909, F.S.; requiring that the Agency for Health Care Administration implement a pilot project for establishing teaching nursing homes; specifying requirements for a nursing home facility to be designated as a teaching nursing home; requiring that the agency develop additional criteria; authorizing a teaching nursing home to be affiliated with a medical school within the State University System; providing for annual appropriations to a teaching nursing home; providing certain limitations on the expenditure of funds by a teaching nursing home; amending s. 468.1755, F.S.; providing for disciplinary action against a nursing home administrator who authorizes discharge or transfer of a resident for a reason other than provided by law; amending ss. 394.4625, 400.063, and 468.1756, F.S.; conforming cross-references; reenacting ss. 468.1695(3) and 468.1735, F.S.; incorporating the amendment to s. 468.1755, F.S., in references thereto; providing for funding for recruitment of qualified nursing facility staff; creating a panel on Medicaid reimbursement; providing membership and duties; requiring reports; providing for expiration; creating s. 400.174, F.S.; requiring nursing homes to annually immunize residents and employees by specified dates; requiring documentation; requiring written informed consent prior to immunization; providing for exemption from immunization because of medical reasons or religious objections; requiring the Agency for Health Care Administration to adopt rules prescribing documentation of immunizations; requiring a study of factors affecting recruitment, training, employment, and retention of qualified certified nursing assistants; requiring a report; repealing s. 400.29, F.S., relating to an agency annual report of nursing home facilities; amending s. 430.703, F.S.; defining the term "other qualified provider"; amending s. 430.707, F.S.; authorizing the Department of Elderly Affairs to contract with other qualified providers to provide long-term care within the pilot projects; providing an appropriation; providing effective dates.

By the Committee on Health, Aging and Long-Term Care; and Senator Myers—

CS for SB 880—A bill to be entitled An act relating to governmental reorganization; amending s. 20.42, F.S.; reassigning the Agency for Health Care Administration to the Department of Health Care; requiring the Executive Director of Health Care Administration to be confirmed by the Senate; making changes in the organizational structure of the agency; amending s. 20.43, F.S.; redesignating the Department of Health as the Department of Health Care; repealing authorization for the Department of Health to contract with the Agency for Health Care Administration for certain services; transferring to the Department of Health Care the powers, duties, functions, and assets that relate to the consumer complaint services, investigations, and prosecutorial services that are performed by the Agency for Health Care Administration under contract with the Department of Health; providing for the appointment of and duties for an organizational efficiency advisory committee; providing for a reviser's bill; providing for the validity of judicial and administrative proceedings; providing an effective date.

By the Committee on Fiscal Resource and Senator Rossin—

CS for SB 986—A bill to be entitled An act relating to property taxes; amending s. 197.432, F.S.; prohibiting holders of tax certificates from contacting the owner of the property upon which a tax certificate is issued until the expiration of a specified time; providing a penalty; amending s. 197.482, F.S.; providing for the date to begin timing a limitation on a tax certificate; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators Cowin and Latvala—

CS for SB 1026—A bill to be entitled An act relating to factory-built housing safety; amending s. 20.18, F.S.; creating the Division of Factory-built Housing in the Department of Community Affairs; providing a

mission statement for the department; transferring certain powers, duties, functions, personnel, property, and appropriations of the department to the division; transferring certain powers, duties, functions, personnel, property, and appropriations of the Department of Highway Safety and Motor Vehicles to the division; authorizing the Department of Community Affairs and the Department of Highway Safety and Motor Vehicles to enter into agreements to effectuate such transfers; providing for transfer of the mobile home portion of the Mobile Home and Recreational Vehicle Protection Trust Fund into the department's operating trust fund for certain purposes; transferring the portion of the Highway Safety Operating Trust Fund relating to mobile homes into the department's operating trust fund for certain purposes; amending s. 320.781, F.S., to conform; amending s. 553.36, F.S.; providing definitions; amending s. 553.38, F.S.; providing responsibility of the Division of Factory-built Housing to enforce part IV of chapter 553, F.S.; creating ss. 553.431, 553.4315, 553.433, 553.434, 553.435, 553.4365, 553.437, 553.438, 553.446, 553.448, 553.449, 553.450, 553.451, 553.452, 553.453, 553.455, 553.456, 553.457, 553.458, F.S.; recreating certain provisions under chapter 320, F.S., within part IV of chapter 553, F.S., to conform; transferring and renumbering ss. 320.823, 320.8335, 320.840, F.S., to conform; transferring, renumbering, and amending ss. 320.77, 320.8255, 320.827, 320.8285, 320.830, 320.831, 320.8325, F.S., to conform; requiring the division to adopt rules on manufactured housing installation systems; requiring the development of certain standards for park trailers; renumbering and amending s. 320.8249, F.S., to conform; limiting certain local government ability to charge certain permit fees relating to mobile home parks; amending ss. 161.55, 316.515, 319.001, 320.131, 320.27, 320.28, 320.71, 320.822, 320.8225, 320.8231, 320.8232, 320.824, 320.8245, 320.8256, 320.834, 320.835, 320.865, 325.202, 325.203, 325.213, 627.351, 627.702, F.S., to conform; providing an effective date.

By the Committee on Regulated Industries and Senator Sullivan—

CS for SB 1070—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.01, F.S.; revising the definition of the term "discount in the usual course of business"; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators Clary and Kurth—

CS for SB 1150—A bill to be entitled An act relating to military base retention; amending s. 288.980, F.S.; providing legislative intent; providing for the role of the Florida Defense Alliance; providing funding; removing a limitation on the amount of a grant under the Florida Military Installation Reuse Planning and Marketing Grant Program; increasing a grant limitation with respect to the Florida Defense Planning Grant Program; reducing the amount of matching funds required under certain grant programs; creating the Retention of Military Installations Program; providing eligibility criteria; providing a cap on the payment of administrative expenses from certain grants; providing an appropriation; providing an effective date.

By the Committee on Judiciary and Senator Webster—

CS for SB 1206—A bill to be entitled An act relating to construction liens and bonds; amending s. 255.05, F.S., relating to payment bonds of contractors constructing public buildings; providing that the time periods required for providing certain notices or bringing certain actions are not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; amending s. 713.06, F.S.; clarifying certain notice requirements with respect to perfecting a lien for labor, services, or materials furnished under contract; amending s. 713.08, F.S.; providing that the time period required for recording a claim of lien is not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; amending s. 713.135, F.S.; requiring the issuing authority to verify certain information in the notice of commencement; providing an exemption for certain direct contracts for repair or replacement of heating or air-conditioning systems; amending s. 713.18, F.S., relating to service of notices and other instruments; providing for overnight delivery or second-day delivery under certain circumstances; amending s. 713.23, F.S.; providing that the time periods required for serving a notice of nonpayment or bringing certain actions

are not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; providing an effective date.

By the Committee on Judiciary and Senator Grant—

CS for SB 1210—A bill to be entitled An act relating to judicial selection; amending s. 34.021, F.S.; authorizing continued service of judges; amending s. 105.031, F.S.; providing for retention votes or election of county and circuit court judges; amending s. 105.041, F.S.; providing form of ballot for retention votes on county and circuit court judges; amending s. 105.051, F.S.; providing for determination of retention for county and circuit court judges; amending s. 105.061, F.S.; authorizing electors to vote for retention of circuit and county court judges; amending s. 105.08, F.S.; providing for campaign contribution and expense reporting for circuit and county court judges subject to vote of retention; amending s. 106.011, F.S.; redefining the term “unopposed candidate”; amending s. 106.08, F.S.; providing contribution limits for election and retention of circuit and county court judges; providing for petitions and certification of ballot position; establishing deadlines; amending s. 101.161, F.S.; placing the issue of the method of selection of judges on ballot; establishing manner for placing judicial selection initiatives on general election ballots; providing ballot language; providing for impact on sitting judges; repealing s. 25.021, F.S.; providing terms of elected Supreme Court Justices; amending s. 35.06, F.S.; deleting terms of elected district court of appeal judges; amending s. 101.151, F.S.; conforming provisions; providing an effective date.

By the Committee on Criminal Justice and Senator Brown-Waite—

CS for SB 1260—A bill to be entitled An act relating to sexual predators and sexual offenders; amending s. 775.21, F.S.; streamlining sexual predator registration; amending the sexual predator definition; clarifying temporary residence; requiring that the Department of Corrections or custodian of a local jail notify the Department of Law Enforcement if a sexual predator escapes from custody, absconds from supervision, or dies; deleting current exemption from registration if sexual predator has civil rights restored; amending s. 943.0435, F.S.; clarifying temporary residence; deleting current exemption from lifetime registration if sexual offender has civil rights restored; authorizing a petition for removal of registration requirements by a minor if specific criteria are met; amending s. 944.606, F.S., relating to reporting requirements for sexual offenders upon release; conforming a cross-reference; deleting current exemption from lifetime registration requirement if sexual offender has civil rights restored; requiring that the Department of Corrections notify the Department of Law Enforcement if a sexual offender escapes, absconds, or dies; amending s. 944.607, F.S.; relating to notification to the Department of Law Enforcement of information on sexual offenders; correcting a reference to refer to the Department of Law Enforcement; clarifying temporary residence; amending s. 921.0022, F.S., relating to offense severity ranking chart; correcting a statutory reference relating to the ranking of an offense involving a sexual predator's failure to follow specific requirements under s. 775.21, F.S.; providing an effective date.

By the Committees on Comprehensive Planning, Local and Military Affairs; Regulated Industries; and Senator Dyer—

CS for CS for SB 1284—A bill to be entitled An act relating to contracting; creating s. 489.13, F.S.; providing for disciplinary procedures involving a judgment against construction contractors; creating s. 489.5334, F.S.; providing disciplinary procedures involving a judgment against electrical and alarm system contractors; creating s. 489.5591, F.S.; providing applicability for disciplinary proceedings involving mismanagement or misconduct that causes financial harm to a customer; providing an effective date.

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

CS for SB 1294—A bill to be entitled An act relating to the “Employee Health Care Access Act”; amending s. 627.6699, F.S.; modifying definitions; requiring small employer carriers to begin to offer and issue all

small employer benefit plans on a specified date; deleting the requirement that basic and standard small employer health benefit plans be issued; providing additional requirements for determining premium rates for benefit plans; providing for applicability of the act to plans provided by small employer carriers that are insurers or health maintenance organizations notwithstanding the provisions of certain other specified statutes under specified conditions; providing an effective date.

By the Committee on Transportation and Senator Webster—

CS for SB 1306—A bill to be entitled An act relating to highway safety and motor vehicles; reenacting s. 316.003, F.S.; relating to the definition of hazardous material; amending s. 316.008, F.S.; revising terminology and deleting obsolete provisions; amending s. 316.061, F.S.; providing second degree misdemeanor penalty for certain violations with respect to leaving the scene of an accident; revising terminology; amending ss. 316.027, 316.062, 316.063, 316.064, 316.065, 316.066, 316.068, 316.069, 316.070, 316.072, 316.640, 316.645, 318.1451, 318.17, 318.19, 318.32, 321.051, 321.23, 322.201, 322.221, 322.26, 322.291, 322.44, 322.61, 322.63, 324.011, 324.021, 324.022, 324.051, 324.061, 324.081, 324.091, 324.101, F.S.; changing the term “accident” to “crash”; amending s. 316.067, F.S.; providing a second degree misdemeanor penalty for certain false reports; amending ss. 316.0745, 316.0747, 316.1895, 316.193, 316.2065, F.S.; deleting obsolete provisions; amending s. 316.1935, F.S.; providing a first degree misdemeanor penalty for certain violations with respect to fleeing or attempting to elude a law enforcement officer; amending s. 316.2074, F.S.; deleting certain findings of the Legislature with respect to all-terrain vehicles; amending ss. 316.3027, 316.70, F.S.; providing reference to the United States Department of Transportation; amending s. 316.615, F.S., relating to school buses; amending ss. 316.613, 316.6135, F.S.; correcting reference to the Department of Highway Safety and Motor Vehicles; revising various provisions in chapter 316, F.S., to conform cross-references, delete obsolete provisions, and to provide uniform references to penalties for moving and nonmoving noncriminal traffic offenses punishable under chapter 318, F.S.; amending s. 318.12, F.S.; revising references; amending ss. 318.13, 318.14, F.S.; conforming cross-references; amending ss. 318.18, 318.21, F.S.; revising provisions relating to civil penalties; repealing s. 318.39, F.S., relating to the Highway Safety Operating Trust Fund; amending s. 319.28, F.S.; revising provisions relating to repossession; amending s. 319.33, F.S.; conforming cross-references; amending ss. 320.02 and 320.03, F.S.; deleting obsolete provisions; amending s. 320.031, F.S.; revising provisions relating to the mailing of registration certificates, license plates, and validation stickers; amending s. 320.055, F.S.; conforming cross-references; amending ss. 320.06, 320.061, F.S.; deleting obsolete provisions; amending ss. 320.0605, 320.07, F.S.; providing uniform reference to noncriminal traffic infractions; repealing s. 320.073, F.S., relating to refund of impact fees; amending s. 320.0802, F.S.; providing reference to the Department of Management Services; amending s. 320.08058, F.S.; revising provisions relating to Manatee license plates and Florida Special Olympics license plates; amending s. 320.0848, F.S.; conforming a cross-reference with respect to disabled parking permits; amending s. 320.087, F.S.; providing reference to the United States Department of Transportation; amending s. 320.1325, F.S.; deleting a cross-reference; amending s. 320.20, F.S.; deleting obsolete provisions; amending s. 320.8255, F.S.; providing reference to labels rather than seals with respect to certain mobile home inspections; repealing s. 320.8256, F.S., relating to recreational vehicle inspection; repealing ss. 321.06, 321.07, 321.09, 321.15, 321.17, 321.18, 321.19, 321.191, 321.20, 321.201, 321.202, 321.203, 321.21, 321.22, 321.2205, 321.221, 321.222, 321.223, F.S., relating to the Florida Highway Patrol and the pension system therefor; amending s. 322.055, F.S.; providing reference to the Department of Children and Family Services; amending s. 322.0261, F.S.; revising terminology to change the term “accident” to “crash”; amending s. 322.08, F.S.; deleting obsolete provisions; amending ss. 322.12, 322.121, F.S.; conforming cross-references; amending s. 322.141, F.S.; deleting obsolete provisions; amending s. 322.15, F.S.; providing reference to noncriminal traffic infractions; amending s. 322.20, F.S.; providing reference to the Department of Health; reenacting and amending s. 322.264, F.S., relating to habitual traffic offenders; revising terminology; amending s. 322.27, F.S.; conforming cross-references; amending s. 322.292, F.S.; revising provisions relating to DUI programs supervision; amending s. 322.293, F.S.; deleting obsolete provisions; amending s. 322.57, F.S.; revising provisions relating to driving tests; amending s. 324.202, F.S.; deleting obsolete provisions; repealing ss. 325.01, 325.02, 325.03, 325.04, 325.05, 325.06, 325.07, 325.08,

325.09, 325.10, F.S., relating to vehicle safety equipment and inspections; amending s. 325.209, F.S.; revising provisions relating to waivers; reenacting s. 325.212(2), F.S., relating to reinspections; reenacting s. 328.17(1), F.S., relating to nonjudicial sale of vessels; amending s. 627.7415, F.S., relating to commercial motor vehicles, to include reference to noncriminal traffic infractions; amending s. 627.742, F.S.; providing reference to noncriminal traffic infractions with respect to certain violations with respect to nonpublic sector buses; amending s. 784.07, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Transportation and Senator Webster—

CS for SB 1314—A bill to be entitled An act relating to the Department of Transportation; amending ss. 20.23, 206.46, 288.9607, 337.29, 337.407, 338.22, 338.221, 338.223, 338.225, 338.227, 338.228, 338.229, 338.231, 338.232, 338.239, 339.08, 339.175, 339.241, 341.3333, 348.0005, 348.0009, 348.248, 348.948, 349.05, 479.01, F.S.; conforming cross-references; creating s. 215.616, F.S.; authorizing bonding of federal aid; repealing s. 234.112, F.S., relating to school bus stops; repealing s. 335.165, F.S., relating to welcome stations; repealing section 137 of chapter 96-320, Laws of Florida, relating to certain uncollectible debts owned by a local government for utility relocation cost reimbursements; repealing s. 339.091, F.S., relating to a declaration of legislative intent; repealing s. 339.145, F.S., relating to certain expenditures in the Working Capital Trust Fund; repealing s. 339.147, F.S., relating to certain audits by the Auditor General; amending ss. 311.09, 331.303, 331.305, 331.308, 331.331, 334.03, 335.074, 335.182, 335.188, 336.044, 337.015, 337.139, 339.2405, 341.051, 341.352, 343.64, 343.74, 378.411, 427.012, 427.013, 951.05, F.S.; deleting obsolete provisions, and, where appropriate, clarifying provisions; reenacting ss. 336.01, 338.222, 339.135(7)(e), 341.321(1), F.S., relating to designation of county road system, acquisition or construction or operation of turnpike projects, amendment of the adopted work program, and legislative findings and intent regarding development of high-speed rail transportation system; providing an effective date.

By the Committee on Regulated Industries and Senators Bronson, Dyer, Horne, Casas, Holzendorf, Childers, Geller and Sullivan—

CS for SB 1352—A bill to be entitled An act relating to the Public Service Commission; amending s. 367.081, F.S.; prohibiting the commission from imputing prospective future contributions-in-aid-of-construction against certain utility investments in certain rate proceedings; providing construction; requiring the commission to approve rates for certain services under certain circumstances; providing construction; deleting a requirement that the commission consider a utility's investments in certain lands or facilities in setting final rates; providing an effective date.

By the Committee on Criminal Justice and Senator Silver—

CS for SB 1428—A bill to be entitled An act relating to postrelease supervision of offenders; creating the "Supervision of Violent Offenders Act of 1999"; amending s. 947.01, F.S., relating to the number of members on the Parole Commission; increasing the number of commissioners; amending s. 947.1405, F.S., relating to the Conditional Release Program Act; revising criteria for eligibility for conditional release; providing that an inmate who has committed any of specified crimes but who has not served at least one prior felony commitment may be subject to conditional release supervision; specifying that certain inmates are to be released under "conditional release" supervision; revising terms and conditions of conditional release supervision applicable to certain inmates convicted of specified offenses or sentenced as a habitual or violent felony offender or a violent career criminal; providing for applicability of such supervision to all sentences under specified circumstances when an inmate's overall term of sentences includes one or more sentences on which the eligibility for control release supervision is based; requiring supervision by the Department of Corrections, according to the conditions imposed by the court when the inmate who is placed on conditional release supervision also is subject to probation or community control resulting from a split sentence within the overall term of sentences; providing for revocation of the conditional release supervision without further hearing by the commission in those cases when the court

revokes probation or community control; providing for forfeiture of all gain-time under specified circumstances, and authorizing the Parole Commission to revoke the resulting deferred conditional release supervision and take other appropriate action; providing for the supervision to revert to the authority of the commission and be subject to the conditions of the commission in certain cases when the term of the probation or community control expires before that of the conditional release supervision; providing for applicability of various changes made by the act to certain inmates convicted of crimes committed before, on, or after July 1, 1999; providing for applicability of certain provisions relating to the authority of the commission to establish terms and conditions of such release and to determine whether a violation has occurred or revocation is warranted; providing for applicability of a requirement that certain offenders submit to random substance abuse testing throughout the term of such conditional release supervision; reenacting s. 775.084(4)(i), relating to violent career criminals, habitual felony offenders, and habitual violent felony offenders, s. 921.001(10), F.S., relating to the Sentencing Commission and sentencing guidelines, s. 944.70(1), relating to conditions for release from incarceration, s. 947.13(1)(f), F.S., relating to powers and duties of the Parole Commission, and s. 947.141(1) and (2), F.S., relating to violations of conditional release, control release, or conditional medical release, to incorporate the amendment in references; providing an effective date.

By the Committee on Children and Families; and Senator Mitchell—

CS for SB 1470—A bill to be entitled An act relating to child support; amending s. 61.046, F.S.; defining the term "rotating custody" for purposes of ch. 61, F.S.; amending s. 61.30, F.S.; providing definitions; revising requirements for determination and adjustment of a child support obligation; revising factors to be considered in justifying deviations; deleting separate review procedure for Title IV-D cases; providing a presumption regarding an adult parent's ability to work; revising allowable deductions from gross income; providing deduction for direct payment, rather than prepayment, of child care costs; providing responsibility for health insurance costs and noncovered medical costs; requiring review of the child support obligation schedules by an economist for the Legislature; requiring court review of a child support obligation arrived at through a settlement agreement; amending ss. 61.13, 61.14, 409.2564, 741.0306, and 794.05, F.S.; conforming provisions and references; creating the Child Support Study Commission; providing membership; providing for administrative support and assistance by the Office of the State Courts Administrator; providing duties of the commission; requiring a report; providing an appropriation; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Mitchell—

CS for SB 1478—A bill to be entitled An act relating to Crime Stoppers funds; creating s. 932.80, F.S.; specifying the purposes for which special county trust fund moneys may be expended by the Sheriff or other law enforcement entity that operates a Crime Stoppers program; amending s. 938.06, F.S.; providing for the surcharge assessed as an additional court cost to be deposited in the special county trust funds for use as provided in s. 932.80; repealing s. 16.555, F.S., which provides for the Crime Stoppers Trust Fund in the Department of Legal Affairs; providing for the distribution of funds in the department's trust fund; providing an effective date.

By the Committee on Judiciary and Senator Campbell—

CS for SB 1506—A bill to be entitled An act relating to judicial proceedings; amending ss. 48.194, 49.021, F.S.; providing that personal service on a party outside the United States may be made by publication in certain foreclosure proceedings; amending s. 702.01, F.S.; providing that in mortgage foreclosure proceedings a guardian ad litem need not be appointed unless it appears in the public records or the plaintiff otherwise knows that a defendant is deceased or incompetent or that the interest of minors or heirs are involved; amending s. 687.06, F.S.; providing that it is unnecessary for the court to adjudge attorney's fees to be reasonable in proceedings to enforce a note or mortgage when the note

or mortgage provides for the award of reasonable attorney's fees; providing an effective date.

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

CS for SB 1510—A bill to be entitled An act relating to enterprise zones; creating s. 290.0069, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone in Liberty County; providing requirements with respect thereto; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone in Columbia County; providing requirements with respect thereto; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone in Suwannee County; providing requirements with respect thereto; providing an extended application period for certain businesses to claim tax incentives; providing an effective date.

By the Committee on Criminal Justice and Senator Silver—

CS for SB 1606—A bill to be entitled An act relating to unauthorized reception of cable television services; amending s. 812.15, F.S.; providing increased penalties for repeat offenders; providing increased penalties for the possession of certain devices in quantities; prohibiting the advertisement of certain devices in the electronic media; authorizing certain persons to recover damages for each violation; providing an effective date.

By the Committee on Criminal Justice and Senator Brown-Waite—

CS for SB 1614—A bill to be entitled An act relating to sentencing; amending s. 893.135, F.S.; redefining the offense of trafficking in cannabis; defining the term "cannabis plant"; providing mandatory minimum prison terms and mandatory fine amounts for trafficking in cannabis, cocaine, illegal drugs, phencyclidine, methaqualone, amphetamine, or flunitrazepam; providing for sentencing pursuant to the Criminal Punishment Code of offenders convicted of trafficking in specified quantities of cannabis; removing weight caps for various trafficking offenses; providing that an offender who is sentenced to a mandatory minimum term upon conviction of trafficking in specified quantities of cannabis, cocaine, illegal drugs, phencyclidine, methaqualone, amphetamine, or flunitrazepam is not eligible for gain time or certain discretionary early-release mechanisms prior to serving the mandatory minimum sentence; providing exceptions; providing penalties; amending s. 921.0024, F.S., relating to the worksheet computations for the Criminal Punishment Code; revising requirements for the court in applying a sentencing multiplier for drug-trafficking offenses; authorizing state attorneys to reduce or suspend any trafficking offense if substantial assistance is provided; reenacting s. 397.451(7), F.S., relating to the prohibition against dissemination of state funds to service providers convicted of certain offenses, s. 782.04(4)(a), F.S., relating to murder, s. 893.1351(1), F.S., relating to lease or rent for the purpose of trafficking in a controlled substance, s. 903.133, F.S., relating to the prohibition against bail on appeal for certain felony convictions, s. 907.041(4)(b), F.S., relating to pretrial detention and release, s. 921.0022(3)(g), (h), and (i), F.S., relating to the Criminal Punishment Code offense severity ranking chart, s. 921.142(2), F.S., relating to sentencing for capital drug trafficking felonies, s. 943.0585, F.S., relating to court-ordered expunction of criminal history records, and s. 943.059, F.S., relating to court-ordered sealing of criminal history records, to incorporate the amendment in references; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Silver—

CS for SB 1856—A bill to be entitled An act relating to the Florida Retirement System; creating s. 121.095, F.S.; creating the Florida Retirement System Preservation of Benefits Plan Trust Fund within the

Division of Retirement; providing for sources of funds and purpose; providing an exemption from termination; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Silver—

CS for SB 1858—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S., relating to benefits payable under the Florida Retirement System; providing for payment of federally limited benefits through the Florida Retirement System Preservation of Benefits Plan; creating s. 121.1001, F.S.; creating the Florida Retirement System Preservation of Benefits Plan; providing for eligibility; providing for benefits and contributions; providing for administration; providing a finding of important state interest; providing an effective date and a contingent expiration date.

By the Committee on Children and Families; and Senator Clary—

CS for SB 1902—A bill to be entitled An act relating to the Department of Children and Family Services; providing for waiver of specified provisions of s. 20.19, F.S.; directing the department to consult with the Executive Office of the Governor in implementing waiver authority; requiring a report; requiring a comprehensive reorganization plan; specifying that other statutory responsibilities or related rules are not impaired; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Kurth—

CS for SB 1940—A bill to be entitled An act relating to spring training franchise facilities; amending s. 125.0104, F.S.; defining the term "retained spring training franchise"; providing that the additional local option tourist development taxes presently authorized to finance the construction or renovation of a professional sports franchise facility may also be used to finance the acquisition, construction, or renovation of a retained spring training franchise facility; correcting a reference; providing for an appropriation under certain conditions; providing an effective date.

By the Committee on Criminal Justice and Senator Burt—

CS for SB 2054—A bill to be entitled An act relating to capital collateral representation; amending s. 27.710, F.S.; requiring notification of the trial court if an appointed attorney fails to execute a contract within a specified period; authorizing an attorney appointed to represent a defendant in a postconviction capital collateral proceeding to designate another attorney to assist in the representation; amending s. 27.711, F.S.; revising provisions governing the award of attorney's fees; providing that an additional payment for miscellaneous expenses may be paid under extraordinary circumstances from a separate budget allocation; providing for payment of certain tuition and other expenses for an attorney who is actively representing a capital defendant; providing for the transmittal of files and documents to the successor attorney; requiring the court to monitor the performance of counsel appointed to represent a capital defendant in a postconviction proceeding; providing for payment of attorneys' miscellaneous expenses which were incurred before a specified date; providing an effective date.

By the Committee on Natural Resources and Senator Laurent—

CS for SB 2282—A bill to be entitled An act relating to implementation of water quality standards; amending s. 403.031, F.S.; defining the term "total maximum daily load"; creating s. 403.067, F.S.; providing legislative findings and intent; requiring the Department of Environmental Protection to periodically submit to the United States Environmental Protection Agency a list of surface waters or segments for which total maximum daily load assessments will be conducted; providing that the list cannot be used in the administration or implementation of any

regulatory program; providing for public comment on the list; requiring the Department of Environmental Protection to conduct total maximum daily load assessments on water bodies based on the priority ranking and schedule; requiring the Department of Environmental Protection to adopt a methodology for determining those water bodies which are impaired by rule; specifying what the rule shall set forth; providing for the adoption of a second list of water bodies for which total maximum daily loads will be calculated under certain circumstances; providing for the removal of surface waters or segments under certain conditions; providing for the process for calculating and allocating total maximum daily loads; providing that the Department of Environmental Protection must submit a report by February 1, 2000, to the Governor, the President of the Senate, and the Speaker of the House of Representatives which contains recommendations and draft legislation for any modifications to the process for allocating total maximum daily loads; requiring that the recommendations be developed by the department in cooperation with a technical committee; providing that the total maximum daily load calculations and allocations shall be adopted by rule; providing for public workshops and public notice; providing that the Department of Environmental Protection shall be the lead agency in coordinating and implementing the total maximum daily load allocation through water quality protection programs; authorizing the department to develop a basin plan; providing for public workshops and public notice regarding the basin plan; providing that certain pollutant sources shall have the opportunity to implement the total maximum daily load through non-regulatory and incentive-based programs; requiring the department, the water management districts, and others to cooperatively develop suitable interim measures, best management practices, or other measures necessary to achieve the pollution-reduction targets for nonagricultural nonpoint pollutant sources; requiring the Department of Agriculture and Consumer Services to develop, and to adopt by rule at its discretion, certain interim measures or best management practices; authorizing the Department of Environmental Protection to adopt certain rules; prohibiting the Department of Environmental Protection from implementing, without prior legislative approval, any additional regulatory authority pursuant to the Clean Water Act; requiring the Department of Environmental Protection, in coordination with the water management district and the Department of Agriculture and Consumer Services, to evaluate the effectiveness of the implementation of total maximum daily loads for a specific period and to report to the Governor and the Legislature; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 13; has passed as amended CS for HB 133 and requests the concurrence of the Senate.

John B. Phelps, Clerk

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

CS for HB 13—A bill to be entitled An act relating to restitution; amending s. 775.089, F.S.; specifying retention of jurisdiction by county courts to enforce restitution under certain circumstances; providing an effective date.

—was referred to the Committee on Criminal Justice.

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

CS for HB 133—A bill to be entitled An act relating to corporations; amending s. 607.0722, F.S.; providing alternative methods for appointing proxies by shareholders; amending s. 607.11045, F.S.; clarifying provisions relating to the conversion of shares in certain internal mergers of corporations; providing an effective date.

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

ENROLLING REPORTS

SCR 778 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on March 18, 1999.

Faye W. Blanton, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 17 was corrected and approved.

CO-SPONSORS

Senators Casas—SB 1822; Dawson-White—SB 1556; Diaz-Balart—SB 1502; Dyer—SB 1366; Forman—SB 1036, CS for SB 1270, CS for SB 1340; Grant—SB 964; King—SB 770, SB 2434; Meek—SB 160, SB 1822; Myers—SB 1822; Saunders—SB 2030; Webster—SB 770, SB 1822

RECESS

On motion by Senator McKay, the Senate recessed at 11:51 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, March 25.

SENATE PAGES

March 22-26

Clay B. Adkinson, Defuniak Springs; Scott A. Brannon, Freeport; Samantha Danielle, Melbourne; Lisa Michelle Foote, Webster; Ashley Brooke Herrald, Tallahassee; Meredith Hinshelwood, Orlando; William Alexander Johnson, Plantation; Joshua Kight, Panacea; Nick O'Bea, Ft. Lauderdale; Carolyn Robinson, Winter Park; Bridget Ryan, Ft. Lauderdale; Jason Suskey, Davie; Benjamin "Ben" Todd, Tallahassee; Ryan Todd, Tallahassee; Jennifer Elizabeth Wood, Winter Park; Jessica Wulkan, Boca Raton