



Journal of the Senate

Number 12—Regular Session

Wednesday, April 9, 1997

CONTENTS OF TODAY'S JOURNAL

Bills on Third Reading	404
Call to Order	402, 430
Co-Sponsors	451
Committee Substitutes, First Reading	450
Executive Appointments	451
House Messages, First Reading	451
Motions	404, 448
Motions Relating to Committee Reference	404
Point of Order	447
Reports of Committees	448
Resolutions	402
Special Order Calendar	405, 431

CALL TO ORDER

The Senate was called to order by the President at 9:30 a.m. A quorum present—40:

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

PRAYER

The following prayer was offered by the Rev. Charles R. Pinkerton, Jr., Pastor, First Baptist Church of St. George Island:

Almighty God, we come before you today ever mindful of your presence—mindful that you are the creator and sustainer of life. You are indeed a mighty God, worthy of worship and our praise. "When I consider your heavens, the work of your fingers, the moon and the stars, which you have set in place, what is man that you are mindful of him?" (Psalms 8:3-4) We know that you are mindful of man, that you do provide and care for us, and for this we thank you.

Lord, God, we pray for direction and guidance for this legislative body. We ask that their motives be pure and their desire be to serve their fellow man. Grant them wisdom, insight, and understanding as they deal with issues that affect so many people. May these men and women strive to attain the highest standards as a statesman and serve the interests of the people. Grant them moral courage to make the right decisions, and political toughness to see them through.

Train our ears, God, to distinguish your voice, concise and clear, among the conflicting desires, interests and mounting urges that compete for our attention. In a culture which enshrines "self" as the one and only leader, help us to submit ourselves to your shepherding love and mercy.

Hear our prayer, O God, bless these men and women who give of their lives to serve their fellow man. Bless and protect their families while they serve.

We ask this in your precious, powerful and Holy Name. Amen.

PLEDGE

Senate Pages, Elizabeth Benson of Kingsport, Tennessee and Katie Morris of Sarasota, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Williams—

By Senator Williams—

SR 2322—A resolution honoring the Monticello Opera House, Inc., for 25 years of tireless effort in restoring the Monticello Opera House Building and sponsoring quality arts programming for north Florida.

WHEREAS, the Monticello Opera House, Inc., which manages the Monticello Opera House, formerly known as the Perkins Building and Perkins Opera House, celebrates its silver anniversary year in 1997, and

WHEREAS, the Monticello Opera House was placed on the National Register of Historic Places in 1972 and was designated a Landmark of American Music by the National Music Council on April 15, 1976, and

WHEREAS, the State of Florida is committed to preserving its historic past for future generations and recognizes the Monticello Opera House as one of its treasured turn-of-the-century historic landmarks, and

WHEREAS, the State of Florida recognizes the Monticello Opera House as a rural center for the performing arts in north Florida and as a sponsor of quality arts programs that serve neighboring north Florida counties, and

WHEREAS, the State of Florida appreciates the commitment that the Monticello Opera House, Inc., has made to education and to developing young audiences through its Artists-in-the-Schools Program, and

WHEREAS, the Monticello Opera House, Inc., will continue to serve as an anchor to the best of Florida's past and as an achievement of both past and present, NOW, THEREFORE,

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

That the Florida Senate commends the Monticello Opera House, Inc., for its valuable programs that contribute to the cultural education and awareness of the residents of north Florida.

BE IT FURTHER RESOLVED that copies of this resolution, with the Seal of the Senate affixed, be presented to Katie Marshall Andersen, Executive Director of the Monticello Opera House, Inc.; Nancy Wideman, School Program Coordinator; Helen Rouse, Office Administrator; and John Trimble, Chairman.

—**SR 2322** was introduced, read and adopted by publication.

At the request of Senator Campbell—

By Senator Campbell—

SR 2422—A resolution honoring the Marjory Stoneman Douglas High School Mathematics Team of Parkland, Florida, for winning the national championship at the 1996 National Mu Alpha Theta Annual Convention.

WHEREAS, Mu Alpha Theta, the national honor society in mathematics, held its 26th annual convention August 6-12, 1996, at the University of Central Florida, and

WHEREAS, the top high school mathematics students in the nation were in attendance for 6 days of competition, speaker sessions, and special activities, and

WHEREAS, Dharmesh Mehta finished his high school competition career by taking first place individual for the fifth consecutive year and received a \$1,000 scholarship, and

WHEREAS, the members of the Marjory Stoneman Douglas High School Mathematics Team, Bethany Aaronson, Thomas Allen, Greg Basior, Denise Chen, Harley Copen, Judith Danovitch, Nathalie Dozois, Brian Epstein, Jason Gershman, Audrey Katz, Paul Kim, Daniel Marcus, Justin McBride, Ryan McCarthy, Dharmesh Mehta, Dina Mehta, Dennis Pickering, Vikram Ramakrishnan, Ivan Tafur, Mathew Tantama, Shaival Thakore, and Gregory Weiss won the overall school sweepstakes to become the national champion mathematics team, NOW, THEREFORE,

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

That the Marjory Stoneman Douglas High School Mathematics Team of Parkland, Florida, is commended for winning the overall school sweepstakes to become the 1996 national champion mathematics team.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to each member of the Marjory Stoneman Douglas High School Mathematics Team as a tangible token of the sentiments of the Florida Senate.

—**SR 2422** was introduced, read and adopted by publication.

At the request of Senator Grant—

By Senator Grant—

SR 2440—A resolution expressing sorrow at the death of George R. Kerr of Tampa, Florida, on March 12, 1997.

WHEREAS, George R. Kerr of Tampa, Florida, passed away on March 12, 1997, and

WHEREAS, George R. Kerr was an outstanding student at Westminster College in the State of Pennsylvania, and

WHEREAS, George R. Kerr was an American military hero, having been shot down over Brussels, Belgium, in World War II and having endured the hardships of being a German prisoner of war, and

WHEREAS, after his release from captivity, George R. Kerr was a successful businessman in Pittsburgh, Pennsylvania, and in Tampa, Florida, and

WHEREAS, while a resident of the State of Florida, George R. Kerr served his community in many ways too numerous to count, and

WHEREAS, the City of Tampa and County of Hillsborough is a better place to live because of the many years of community service offered to the community by George R. Kerr, and

WHEREAS, George R. Kerr was a devoted family man and is survived by his wife of many years, Charmaine Kerr, and his son, Dr. Robert Kerr, and his daughter, Marsha Kerr, both of Atlanta, Georgia, and grandchildren Andrew and Alec, also of Atlanta, and

WHEREAS, it was George R. Kerr who inspired and lobbied the Florida Legislature for the creation of an ex-POW license plate to not only honor former prisoners of war, but also to remind all Floridians of the price paid by those in the community to preserve our freedoms, and

WHEREAS, George R. Kerr gave his tireless efforts to see the bill to successful passage in the Florida Legislature, and

WHEREAS, George R. Kerr, upon the bill becoming law, was honored by being one of the first recipients of a Florida ex-POW license plate,

bearing the designation ex-POW 0461 to coincide with his prisoner of war number, and

WHEREAS, after his retirement from an active business career, when others might have pursued their own personal interests, George R. Kerr devoted a portion of his life as a staff member in the Florida House of Representatives, where he was a source of humor and inspiration to many, and

WHEREAS, George R. Kerr will be deeply missed in both Tampa and Tallahassee, and

WHEREAS, the Florida Senate fondly remembers the service, the person, and the contributions of George R. Kerr to his community, to this state, and to the Florida Legislature, NOW, THEREFORE,

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

That this legislative body does pause in its deliberations to pay its respects to the late George R. Kerr and to extend its best wishes and condolences to his family and all the citizens of our state who mourn the loss but remember the caring spirit and homespun humor of George R. Kerr.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Charmaine, Bob, and Marsha Kerr as a tangible token of the sentiments of the Florida Senate.

—**SR 2440** was introduced, read and adopted by publication.

At the request of Senator Forman—

By Senator Forman—

SR 2454—A resolution commending the Freemasons and Michael A. Padron, Jr., for their contributions to this state.

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

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

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

WHEREAS, Michael A. Padron, Jr., is a native Floridian who has had a distinguished career in the real estate and construction industries, and

WHEREAS, Michael A. Padron, Jr., has served the Masonic bodies since he was raised to the degree of Master Mason on November 9, 1955, and

WHEREAS, Michael A. Padron, Jr., has served his fellow man in various capacities within the Masonic bodies of this state, including active membership in Dr. Felix Varela Lodge No. 64, where he served as Worshipful Master in 1989; Memorial Lodge No. 30, Miami York Rite Bodies; Key West Scottish Rite Bodies; Mahi Temple, A.A.O.N.M.S.; Key West Shrine Club; Miami Grotto; Fern Chapter No. 21, O.E.S.; and the Fernando A. Camus Chapter of the Order of DeMolay, where as a youth he was a member and now serves as an advisor, and

WHEREAS, Michael A. Padron, Jr., has served the Grand Lodge of Florida in several capacities before being elected Grand Master, including District Deputy Grand Master of the 30th Masonic District, Grand Tyler, Junior Grand Warden, and member of the Masonic Home Board of Trustees, and

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

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

That the Florida Senate commends the Freemasons of Florida and Michael A. Padron, Jr., for their contributions to this state.

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

—SR 2454 was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bankhead, by two-thirds vote CS for SB 10 and CS for SB 1456 were withdrawn from the Committee on Judiciary; SB 190 was withdrawn from the Committee on Criminal Justice; SB 388 and SB 1370 were withdrawn from the Committee on Commerce and Economic Opportunities; CS for SB 756 was withdrawn from the Committee on Banking and Insurance; SB 1220 was withdrawn from the Committees on Criminal Justice; Children, Families and Seniors; and Ways and Means; and referred to the Committees on Children, Families and Seniors; Criminal Justice; and Ways and Means; and SB 46 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Brown-Waite, by two-thirds vote SB 952 was withdrawn from the committees of reference and further consideration.

On motion by Senator Sullivan, by two-thirds vote CS for CS for SB 64, SB 532, CS for SB 630, CS for SB 1094, SB 1108, CS for SB 1128, SB 1784, CS for SB 1860, CS for SB 1968, CS for SB 2022 and CS for SB's 916 and 1150 were withdrawn from the Committee on Ways and Means.

On motion by Senator Latvala, by two-thirds vote SB 1852 was withdrawn from the committee of reference and further consideration.

On motion by Senator Williams, by two-thirds vote SB 1280 was withdrawn from the committees of reference and further consideration.

On motion by Senator Meadows, by two-thirds vote SB 16, SB 50, SB 54 and SB 1642 were withdrawn from the committees of reference and further consideration.

On motion by Senator Bankhead, by two-thirds vote SB 2390 was withdrawn from the Committees on Health Care; and Ways and Means; and referred to the Committees on Regulated Industries; and Ways and Means; CS for SB's 1688, 792, 1334 and 2254 was withdrawn from the Committee on Commerce and Economic Opportunities; and CS for SB 948 and SB 884 were withdrawn from the Committee on Governmental Reform and Oversight.

MOTIONS

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

CONSIDERATION OF BILLS ON THIRD READING

HB 115—A bill to be entitled An act relating to veterans; amending s. 295.17, F.S.; eliminating the requirement of renewing identification cards; eliminating a service charge; providing an effective date.

—was read the third time by title.

On motions by Senator Klein, HB 115 was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Table with 4 columns: Jenne, Kurth, Myers, Sullivan; Jones, Latvala, Ostalkiewicz, Thomas; Kirkpatrick, Lee, Rossin, Turner; Klein, Meadows, Silver, Williams

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer

HB 285—A bill to be entitled An act relating to regulation of trade and commerce; repealing s. 559.04, F.S., relating to requirements of trading stamp companies prior to distribution of trading stamps; repealing s. 559.05, F.S., relating to required notice of intention to suspend or cease redemption of trading stamps; providing an effective date.

—was read the third time by title.

On motions by Senator Williams, HB 285 was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer

SB 1086—A bill to be entitled An act relating to armories; amending s. 250.40, F.S.; providing for the disposition of money received from the rental of billeting operations at Camp Blanding Training Site; providing an effective date.

—was read the third time by title.

On motions by Senator Dantzler, SB 1086 was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Table with 4 columns: Madam President, Dantzler, Jenne, Rossin; Bankhead, Diaz-Balart, Jones, Scott; Bronson, Dudley, Kirkpatrick, Silver; Burt, Forman, Klein, Sullivan; Campbell, Grant, Kurth, Thomas; Casas, Gutman, Latvala, Turner; Childers, Hargrett, McKay, Williams; Clary, Harris, Meadows; Cowin, Holzendorf, Myers; Crist, Horne, Ostalkiewicz

Nays—None

Vote after roll call:

Yea—Brown-Waite, Dyer

Consideration of CS for HB 443 was deferred.

CS for SB 1238—A bill to be entitled An act relating to motor vehicle license plates; amending s. 316.515, F.S.; changing exemptions from

maximum width, height, and length requirements for wreckers; amending s. 316.550, F.S.; providing special-use permits for wreckers; amending s. 320.01, F.S.; providing definitions; amending s. 320.06, F.S.; requiring the word "wrecker" to be printed on certain license plates; amending s. 320.08, F.S.; revising license tax requirements for wreckers; creating s. 320.0821, F.S.; providing requirements for wrecker license plates; amending s. 206.877, F.S., to conform a cross-reference; providing an effective date.

—as amended April 7 was read the third time by title.

On motions by Senator Lee, **CS for SB 1238** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Bankhead, Dyer

CS for SB 300—A bill to be entitled An act relating to the Comptroller; amending s. 17.20, F.S.; authorizing the deduction of certain fees and expenses from property that has not been claimed and is reportable to the department; providing a report; amending s. 17.325, F.S.; revising language with respect to governmental efficiency hotlines; revising requirements with respect to "Get Lean" telephone calls; providing for certain confidentiality; amending s. 687.143, F.S.; requiring the Department of Banking and Finance to deposit certain fines in the Division of Financial Investigations Administrative Trust Fund; amending s. 939.01, F.S.; providing for certain investigative costs to be entered in a judgment; providing an effective date.

—as amended April 7 was read the third time by title.

On motions by Senator Harris, **CS for SB 300** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Dyer, Gutman

SB 1498—A bill to be entitled An act relating to Museum of Florida History programs; amending s. 267.072, F.S.; requiring the Division of Historical Resources of the Department of State to establish and administer a program to recognize and record achievements of certain Floridi-

ans; providing criteria; providing requirements; providing for nominations and selection; authorizing the division to undertake certain recording and marketing activities; authorizing the division to collect a charge for providing certain materials; providing for deposit of such charges; providing an effective date.

—as amended April 7 was read the third time by title.

On motions by Senator Harris, **SB 1498** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Dyer, Gutman, Sullivan

CS for HB 443—A bill to be entitled An act relating to firesafety; amending s. 633.511, F.S.; providing for the State Fire Marshal rather than the Governor to appoint members to the Florida Fire Safety Board; amending s. 633.537, F.S.; revising continuing education requirements with respect to certificates issued by the State Fire Marshal to certain contractors; providing an effective date.

—was read the third time by title.

On motions by Senator Horne, **CS for HB 443** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Dyer, Gutman

SPECIAL ORDER CALENDAR

On motion by Senator Sullivan—

SB 2400—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1997, and ending June 30, 1998, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

Senator Williams offered the following amendment which was moved by Senator Childers and adopted:

Amendment 1—

In Section: 05 On Page: 210 Specific Appropriation: 1332E
Delete

Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Recreation And Parks, Division Of

1332E In Section 05 On Page 210
Grants And Aids To Local Governments
And Nonprofit Organizations
Fanning Springs

From Land Acquisition Trust
Fund 430,000

Senator Childers moved the following amendment which was adopted:

Amendment 2—

In Section: 06 On Page: 250 Specific Appropriation:
Delete

Insert

BUSINESS AND PROFESSIONAL REGULATION,
DEPARTMENT OF
Pari-Mutuel Wagering, Division Of

In Section 06 On Page 250

In Section 06 on page 250 following the title
Pari-Mutuel Wagering and BEFORE Specific
Appropriation 1579, Strike all existing proviso and
INSERT the following:

Funds in Specific Appropriations 1579, 1580, 1581, and 1584 reflect
position reductions to the Department of Business and Professional
Regulation based on privatizing the Pari-Mutuel Laboratory.

Senator Holzendorf offered the following amendment which was
moved by Senator Childers and adopted:

Amendment 3—

In Section: 05 On Page: 210 Specific Appropriation: 1332E
Delete

Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Recreation And Parks, Division Of

1332E In Section 05 On Page 210
Grants And Aids To Local Governments
And Nonprofit Organizations
Wetlands Exhibits

From Land Acquisition Trust
Fund 300,000

Senator Williams offered the following amendment which was moved
by Senator Childers and adopted:

Amendment 4—

In Section: 25 On Page: 337 Specific Appropriation:
Delete

Insert

In Section 25 On Page 337

After Section 25, INSERT the following new section
and renumber subsequent sections:

There is hereby appropriated \$111,612 from unexpended FY
1996-97 General Revenue appropriations of the General Tax Ad-
ministration Program of the Department of Revenue to Nassau
County for the revenue loss resulting from the delay in implement-

ing the "ninth-cent" tax on motor fuel imposed by Ordinance No.
95-27.

Senator Grant offered the following amendment which was moved by
Senator Childers and adopted:

Amendment 5—

In Section: 10 On Page: 331 Specific Appropriation:
Delete Insert

On page 331, Section 8 strike all of the language in
1.D. and INSERT the following:

\$10,000,000 is provided in Specific Appropriation 1492 for the purpose of
addressing critical salary needs in classes experiencing excessive
turnover and inability to recruit and hire qualified employees.
\$300,000 of this \$10,000,000 is provided for critical pay issues of the
State Courts System, as described in its 1997 pay plan request. The
Department of Management Services shall review requests made by
Executive Branch Agencies for pay grade adjustments and make
recommendations to the Executive Office of the Governor prior to
November 1, 1997. The Supreme Court will implement recommendations for
State Courts System critical pay issues as approved by the Chief Justice.

Senator Sullivan offered the following amendment which was moved
by Senator Childers and adopted:

Amendment 6—

In Section: 05 On Page: 213 Specific Appropriation: 1355A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Law Enforcement, Division Of

1355A In Section 05 On Page 213
Special Categories
Transfer to Port of St. Petersburg

From Coastal Protection
Trust Fund 250,000

Immediately following Specific Appropriation 1355A
INSERT proviso:

Funds provided in Specific Appropriation 1355A shall not be re-
leased by the Executive Office of the Governor until documentation
has been submitted by the Port of St. Petersburg that; (1) sufficient
funds are available on a recurring basis to fully operate the Vessel
Tracking Information System; (2) the Florida Seaport Transporta-
tion and Economic Council has contributed \$250,000 to the Port of
St. Petersburg as match; and (3) the Implementation Plan prepared
by The Tampa Bay Area VTIS Consortium has been approved by the
U.S. Coast Guard.

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Educational And General Activities

179A In Section 02 On Page 053
Special Categories
Transfer to Port of St. Petersburg

From Phosphate Research
Trust Fund 250,000

Immediately following Specific Appropriation 179A
INSERT proviso:

Funds provided in Specific Appropriation 179A shall not be released
by the Executive Office of the Governor until documentation has
been submitted by the Port of St. Petersburg that; (1) sufficient
funds are available on a recurring basis to fully operate the Vessel

Tracking Information System; (2) the Florida Seaport Transportation and Economic Council has contributed \$250,000 to the Port of St. Petersburg as match; and (3) the Implementation Plan prepared by The Tampa Bay Area VTIS Consortium has been approved by the U.S. Coast Guard.

And Nonprofit Organizations
Tri County Agriculture Center -
Columbia/Hamilton/Suwannee Counties

From General Revenue Fund 325,000

Senator Casas offered the following amendment which was moved by Senator Childers and adopted:

Senator Hargrett offered the following amendment which was moved by Senator Childers and adopted:

Amendment 7—

Amendment 11—

In Section: 05 On Page: 210 Specific Appropriation: 1332E
Delete Insert

In Section: 05 On Page: 173 Specific Appropriation: 1017D
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Recreation And Parks, Division Of

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE
Marketing And Development, Division Of

In Section 05 On Page 210
1332E Grants And Aids To Local Governments
And Nonprofit Organizations
Miami Springs Municipal Pool Renovations

In Section 05 On Page 173
1017D Grants And Aids To Local Governments
And Nonprofit Organizations
Palmetto Tomato Festival

From Conservation And
Recreation Lands Trust Fund 200,000
From Land Acquisition Trust
Fund 245,000

From General Revenue Fund 30,000

INSERT proviso:

Senator Jones offered the following amendment which was moved by Senator Childers and adopted:

Funds provided in Specific Appropriation 1017D are contingent upon the City of Palmetto maintaining the current level of funding from other sources for this festival.

Amendment 8—

Senators McKay and Hargrett offered the following amendment which was moved by Senator Childers and adopted:

In Section: 05 On Page: 172 Specific Appropriation: 1016
Delete Insert

Amendment 12—

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE
Marketing And Development, Division Of

In Section: 05 On Page: 173 Specific Appropriation: 1017D
Delete Insert

In Section 05 On Page 172
1016 Special Categories
Tropical Fruit

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE
Marketing And Development, Division Of

From General Revenue Fund 300,000

In Section 05 On Page 173
1017D Grants And Aids To Local Governments
And Nonprofit Organizations
Manatee River Fair

From General Revenue Fund 425,000

Senator Williams offered the following amendments which were moved by Senator Childers and adopted:

Senator Rossin offered the following amendment which was moved by Senator Childers and adopted:

Amendment 9—

Amendment 13—

In Section: 05 On Page: 173 Specific Appropriation: 1017D
Delete Insert

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE
Marketing And Development, Division Of

In Section: 05 On Page: 181 Specific Appropriation: 1099A
Delete Insert

In Section 05 On Page 173
1017D Grants And Aids To Local Governments
And Nonprofit Organizations
Suwannee River Livestock Pavillion

COMMUNITY AFFAIRS, DEPARTMENT OF
Resource Planning And Management,
Division Of

From General Revenue Fund 44,000

In Section 05 On Page 181
1099A Grants And Aids To Local Governments
And Nonprofit Organizations
Resource Planning And Management Plan -
Village Of Wellington

From General Revenue Fund 40,000

Amendment 10—

Immediately following Specific Appropriation 1099A
INSERT:

In Section: 05 On Page: 173 Specific Appropriation: 1017D
Delete Insert

AGRICULTURE AND CONSUMER SERVICES,
DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE
Marketing And Development, Division Of

Funds appropriated in Specific Appropriation 1099A are for a Resource Planning and Management Comprehensive Plan Develop-

In Section 05 On Page 173
1017D Grants And Aids To Local Governments

ment for the Village of Wellington. The Wellington Equestrian Alliance will match the appropriation dollar for dollar.

Senator Silver offered the following amendment which was moved by Senator Childers and adopted:

Amendment 14—

In Section: 05 On Page: 181 Specific Appropriation: 1099A

Delete Insert

COMMUNITY AFFAIRS, DEPARTMENT OF Resource Planning And Management, Division Of

1099A In Section 05 On Page 181 Grants And Aids To Local Governments And Nonprofit Organizations Resource Planning and Management Plan - City of Aventura

From General Revenue Fund 50,000

Senator Childers moved the following amendment which was adopted:

Amendment 15—

In Section: 05 On Page: 185 Specific Appropriation: 1126

Delete Insert

COMMUNITY AFFAIRS, DEPARTMENT OF Housing And Community Development, Division Of

1126 In Section 05 On Page 185 Aid To Local Governments Grants And Aids - Small Cities Community Development Block Grants

Following Specific Appropriation 1126, strike all said proviso and INSERT new proviso:

Funds provided in Specific Appropriation 1126 shall be divided and distributed among the statutorily established program categories as follows: Housing 20%; Economic Development 30%; Neighborhood Revitalization 40%; and Commercial Revitalization 10%. Programs which provide employment opportunities to clients of Workforce Development Initiatives and the WAGES program shall be given consideration in the distribution of these funds. The department shall evaluate opportunities to give priority consideration to these programs within the federal law and state statute which govern the CDBG Program. Funds not distributed due to an insufficient number of eligible applications in the Housing, Neighborhood Revitalization, or Commercial Revitalization program categories shall be transferred to the program category receiving the greatest dollar value of request for grants. In the event that all eligible applications are funded in the three grant categories, other than Economic Development, and funds remain available, then these remaining funds shall be transferred to the Economic Development category for allocation.

Senators Thomas, Dudley, Hargrett, Latvala and Turner offered the following amendment which was moved by Senator Childers and adopted:

Amendment 16—

In Section: 05 On Page: 186 Specific Appropriation: 1131

Delete Insert

COMMUNITY AFFAIRS, DEPARTMENT OF Housing And Community Development, Division Of

1131 In Section 05 On Page 186 Special Categories Grants And Aids - Community Development Corporation Grants

From Operating Trust Fund 800,000

1132 Special Categories Community Development Corporation Loans

From Operating Trust Fund 1,500,000

Immediately following item 1132, INSERT:

Funds provided in Specific Appropriation 1132 shall be used for loans to expand the availability of affordable housing.

In Section 05 On Page 187 1140 Special Categories Transfer To Department Of Community Affairs Operating Trust Fund

From General Revenue Fund 800,000 From State Housing Trust Fund 1,500,000

Senator Jones offered the following amendments which were moved by Senator Childers and adopted:

Amendment 17—

In Section: 05 On Page: 194 Specific Appropriation: 1190-A

Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Administrative And Technical Services, Division Of

1190-A In Section 05 On Page 194 Grants And Aids To Local Governments And Nonprofit Organizations Rails to Trails Study - Key West to Florida City

From Land Acquisition Trust Fund 30,000

Amendment 18—

In Section: 05 On Page: 194 Specific Appropriation: 1190A

Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Administrative And Technical Services, Division Of

1190A In Section 05 On Page 194 Special Categories Waterways Management and Channel Marking - Monroe County

From Land Acquisition Trust Fund 100,000

Senators Ostalkiewicz and Dyer offered the following amendment which was moved by Senator Childers and adopted:

Amendment 19—

In Section: 05 On Page: 194 Specific Appropriation: 1196A

Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Administrative And Technical Services, Division Of

1196A In Section 05 On Page 194 Grants And Aids To Local Governments And Nonprofit Organizations Little Wekiva River Restoration

From General Revenue Fund 1,000,000

Senator Williams offered the following amendment which was moved by Senator Childers:

Amendment 20—

In Section: 05 On Page: 194 Specific Appropriation: 1199 Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Administrative And Technical Services, Division Of

1199 In Section 05 On Page 194 Fixed Capital Outlay Closure And Restructuring Of Inglis Canal Lock

From Land Acquisition Trust Fund 875,000

Senator Williams offered the following substitute amendment which was moved by Senator Childers and adopted:

Substitute Amendment 20—

In Section: 05 On Page: 194 Specific Appropriation: 1199 Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Administrative And Technical Services, Division Of

1199 In Section 05 On Page 194 Fixed Capital Outlay Repairs and Maintenance of Inglis Lock

From Land Acquisition Trust Fund 875,000

Senator Jones offered the following amendment which was moved by Senator Childers and adopted:

Amendment 21—

In Section: 05 On Page: 197 Specific Appropriation: 1220A Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF State Lands, Division Of

1220A In Section 05 On Page 197 Special Categories Control Of Invasive Exotics

From Conservation And Recreation Lands Trust Fund 170,000

Senator Kirkpatrick offered the following amendment which was moved by Senator Childers and adopted:

Amendment 22—

In Section: 05 On Page: 197 Specific Appropriation: 1223 Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF State Lands, Division Of

1223 In Section 05 On Page 197 Fixed Capital Outlay Land Acquisition, Environmentally Endangered, Unique/ Irreplaceable Lands, Statewide

Following Specific Appropriation 1223 INSERT:

The Department of Environmental Protection and the Water Management Districts are directed to develop a plan for phasing out the Preservation 2000 Land Acquisition Program. This plan should include a land management strategy and must be provided to the Legislature on or before October 1997.

Senator Brown-Waite offered the following amendment which was moved by Senator Childers and adopted:

Amendment 23—

In Section: 05 On Page: 199 Specific Appropriation: 1237A Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF District Offices

1237A In Section 05 On Page 199 Grants And Aids To Local Governments And Nonprofit Organizations Hernando Beach Channel - Physical Survey

From Ecosystem Management And Restoration Trust Fund 100,000

Senators McKay and Harris offered the following amendments which were moved by Senator Childers and adopted:

Amendment 24—

In Section: 05 On Page: 200 Specific Appropriation: 1240 Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Marine Resources, Division Of

1240 In Section 05 On Page 200 Other Personal Services

From Save The Manatee Trust Fund 1,422,183 1,622,183

Amendment 25—

In Section: 05 On Page: 200 Specific Appropriation: 1240 Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Marine Resources, Division Of

1240 In Section 05 On Page 200 Other Personal Services

From Save The Manatee Trust Fund 1,422,183 1,647,183

Senator Bronson offered the following amendment which was moved by Senator Childers:

Amendment 26—

In Section: 05 On Page: 200 Specific Appropriation: 1240 Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Marine Resources, Division Of

1240 In Section 05 On Page 200 Other Personal Services

Following Specific Appropriation 1240, INSERT:

From funds provided in Specific Appropriation 1240 from the Save the Manatee Trust Fund, \$100,000 shall be used to engage an

independent third party testing laboratory to test boat propeller guards and their reliability to reduce manatee mortality from boat impact and boat propeller deaths as well as the ability of guards to protect boaters, skiers and swimmers.

Standardized vessels equipped with both inboard and outboard motors operating at a variety of planing and non-planing speeds shall be used to evaluate guards' strike damage characteristics as they make straight, parallel and diagonal strikes on simulated manatee and human carcasses. Tests shall evaluate guards in all boating environments including aquatic weed infested waters and shall include, but not be limited to, those which evaluate the effects of guards on vessel operator safety, vessel performance, maneuverability and roll-over characteristics, fuel economy, engine rpm and velocity of vessels. Guards also will be tested for durability and life expectancy in salt and fresh water. Test results also shall be evaluated with respect to international "guarding" standards and results of the U.S. Coast Guard Propeller Guard Study presently underway. Results of these tests shall include preparation of a statement of regulatory costs which includes the amount of increased operating expense and costs of devices for any propeller guards found to fulfill both manatee and human protection standards.

Senator Latvala moved the following substitute amendment which was adopted:

Substitute Amendment 26—

In Section: 05 On Page: 200 Specific Appropriation: 1240
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Marine Resources, Division Of

In Section 05 On Page 200

1240 Other Personal Services

Strike all of existing proviso and INSERT the following:

From funds provided in Specific Appropriation 1240 from the Save the Manatee Trust Fund, \$100,000 shall be used by the Department of Environmental Protection to engage an independent third party testing laboratory or otherwise qualified contractor to conduct a study to determine whether existing devices are available for vessels that would reduce manatee mortality and injury while at the same time providing protection for boaters, skiers, and swimmers without unreasonably affecting the normal operations of vessels and their motors.

Should the results of the study indicate that devices exist which will likely reduce manatee injuries and deaths and not increase the overall risks to boaters, skiers, and swimmers or unreasonably affect the normal operations of vessels and their motors, then the department is directed to pursue such measures as are appropriate to encourage their voluntary utilization by boaters. Test results also shall be evaluated with respect to international "guarding" standards and results of the U.S. Coast Guard Propeller Guard Study presently underway.

Senator Grant offered the following amendment which was moved by Senator Childers and adopted:

Amendment 27—

In Section: 05 On Page: 201 Specific Appropriation: 1252A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Marine Resources, Division Of

In Section 05 On Page 201

1252A Grants And Aids To Local Governments
And Nonprofit Organizations
Lowry Park Zoo

From Save The Manatee Trust
Fund 100,000

Senator Kirkpatrick offered the following amendment which was moved by Senator Childers and adopted:

Amendment 28—

In Section: 05 On Page: 202 Specific Appropriation: 1259
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Water Facilities, Division Of

In Section 05 On Page 202
1259 Aid To Local Governments
Grants And Aids - Lakewatch

From Water Quality Assurance
Trust Fund 310,000 0

1259A Special Categories
Transfer to the Institute of Food and
Agriculture Sciences - Lakewatch

From Water Quality Assurance
Trust Fund 310,000

Senator Childers moved the following amendment:

Amendment 29—

In Section: 05 On Page: 204 Specific Appropriation: 1273
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Water Facilities, Division Of

In Section 05 On Page 204

1273 Fixed Capital Outlay
Beach Projects - Statewide

In Section 05 on page 200 following line 1273, INSERT
the following:

Funds provided in Specific Appropriation 1273 are only for projects receiving federal matching funds as indicated in the Department of Environmental Protection's 1997-98 Legislative Budget Request.

Senator Harris offered the following amendment to **Amendment 29** which was moved by Senator Childers and adopted:

Amendment 29A—

In Section: 05 On Page: 204 Specific Appropriation: 1273
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Water Facilities, Division Of

In Section 05 On Page 204

1273 Fixed Capital Outlay
Beach Projects - Statewide

In proviso following Specific Appropriation 1273, and
on the second line of the proviso following the word
"funds", INSERT:

or more than a fifty percent private match

Amendment 29 as amended was adopted.

Senator Jones offered the following amendment which was moved by Senator Childers and adopted:

Amendment 30—

In Section: 05 On Page: 203 Specific Appropriation: 1270A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Water Facilities, Division Of

In Section 05 On Page 203
1270A Grants And Aids To Local Governments
And Nonprofit Organizations
Rest Beach Park Improvements

From General Revenue Fund 150,000

Senator Gutman offered the following amendment which was moved
by Senator Childers and adopted:

Amendment 31—

In Section: 05 On Page: 205 Specific Appropriation: 1277-C
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Water Facilities, Division Of

In Section 05 On Page 205
1277-C Grants And Aids To Local Governments
And Nonprofit Organizations
City Of West Miami Water Compliance

From General Revenue Fund 225,000

Senator Latvala offered the following amendment which was moved
by Senator Childers and adopted:

Amendment 32—

In Section: 05 On Page: 206 Specific Appropriation: 1283A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Waste Management, Division Of

In Section 05 On Page 206
1283A Lump Sum
Brownsfield Redevelopment Act

From Water Quality Assurance
Trust Fund 425,000
Positions 0 7

Senators Brown-Waite and Cowin offered the following amendment
which was moved by Senator Childers and adopted:

Amendment 33—

In Section: 05 On Page: 208 Specific Appropriation: 1310A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Waste Management, Division Of

In Section 05 On Page 208
1310A Grants And Aids To Local Governments
And Nonprofit Organizations
Sumter County Integrated Solid Waste
System

From Solid Waste Management
Trust Fund 500,000

Senator Williams offered the following amendment which was moved
by Senator Childers and adopted:

Amendment 34—

In Section: 05 On Page: 210 Specific Appropriation: 1332-E
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Recreation And Parks, Division Of

In Section 05 On Page 210
1332-E Grants And Aids To Local Governments
And Nonprofit Organizations
Dudley Farm - Newberry

From Land Acquisition Trust
Fund 200,000

Senator Gutman offered the following amendment which was moved
by Senator Childers and adopted:

Amendment 35—

In Section: 05 On Page: 210 Specific Appropriation: 1332-E
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Recreation And Parks, Division Of

In Section 05 On Page 210
1332-E Grants And Aids To Local Governments
And Nonprofit Organizations
City Of Miami Parks

From Land Acquisition Trust
Fund 370,000

In Section 05 on page 210 following new Specific
Appropriation 1332E, INSERT the following proviso:

Funds Provided in Specific Appropriation 1332-E shall be allocated
for the following parks and projects:

West End.....	\$100,000
Southside.....	100,000
Douglas.....	70,000
Jose Marti.....	100,000

Senator Diaz-Balart offered the following amendment which was
moved by Senator Childers and adopted:

Amendment 36—

In Section: 05 On Page: 210 Specific Appropriation: 1334
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Air Resources Management, Division Of

In Section 05 On Page 210
1334 Other Personal Services

From Air Pollution Control
Trust Fund 5,685,914 6,085,914

Senators Childers and Rossin offered the following amendment which
was moved by Senator Childers and adopted:

Amendment 37—

In Section: 05 On Page: 215 Specific Appropriation: 1378-A
Delete Insert

GAME AND FRESH WATER FISH COMMISSION,
FLORIDA
Office Of The Executive Director And
Division Of Administrative Services

In Section 05 On Page 215
1378-A Fixed Capital Outlay
New Regional Office, West Palm Beach -
Dms Mgd

From General Revenue Fund 250,000

Senator Kirkpatrick offered the following amendment which was moved by Senator Childers and adopted:

Amendment 38—

In Section: 05 On Page: 218 Specific Appropriation: 1388
Delete Insert

GAME AND FRESH WATER FISH COMMISSION,
FLORIDA
Wildlife, Division Of

In Section 05 On Page 218

1388 Expenses

Following Specific Appropriation 1388, INSERT:

From funds in Specific Appropriation 1388, \$50,000 from the Florida Panther Research and Management Trust Fund is provided to reimburse expenses incurred in recovering, housing, and maintaining Texas cougars originally purchased as part of the Florida panther research and management program.

Senator Williams offered the following amendment which was moved by Senator Childers and adopted:

Amendment 39—

In Section: 06 On Page: 256 Specific Appropriation: 1633A
Delete Insert

GOVERNOR, EXECUTIVE OFFICE OF THE
General Office

In Section 06 On Page 256

1633A Lump Sum
Economic Development/International
Trade And Promotion

On page 256, in the proviso following Specific
Appropriation 1633A add the following after the last
line of the proviso:

Rural Community Development Grants ...\$2,000,000

RECONSIDERATION OF AMENDMENT

On motion by Senator Williams, the Senate reconsidered the vote by which **Amendment 39** was adopted.

Senator Williams moved the following substitute amendment which was adopted:

Substitute Amendment 39—

In Section: 8 On Page: 337 Specific Appropriation:
Delete Insert

Insert a new section in the back of the bill:

Funds included in the 1996-97 GAA for Rural Community Development Grants which are unexpended on June 30, 1997 are hereby reappropriated in FY 1997-98.

SENATOR BURT PRESIDING

Senators Meadows, Kirkpatrick and Casas offered the following amendment which was moved by Senator Childers and adopted:

Amendment 40—

In Section: 06 On Page: 256 Specific Appropriation: 1633A
Delete Insert

GOVERNOR, EXECUTIVE OFFICE OF THE
General Office

In Section 06 On Page 256

1633A Lump Sum
Economic Development/International
Trade And Promotion

On page 256, following Specific Appropriation 1633A
INSERT the following proviso:

From funds provided in Specific Appropriation 1633A from the Grants and Donations Trust Fund, \$5,000,000 shall be deposited in the Florida Fund for Minority Teachers and made available for scholarships and incentives.

Senators Harris, Childers and Sullivan offered the following amendment which was moved by Senator Childers and adopted:

Amendment 41—

In Section: 06 On Page: 256 Specific Appropriation: 1633A
Delete Insert

GOVERNOR, EXECUTIVE OFFICE OF THE
General Office

In Section 06 On Page 256

1633A Lump Sum
Economic Development/International
Trade And Promotion

From General Revenue Fund 37,884,681 43,884,681

On page 256, in the proviso following Specific
Appropriation 1633A add the following after the last
line or proviso:

- G/A/ Enterprise Florida - Operations.....\$4,701,235
- G/A Rural Community Development Grants.....\$2,000,000
- G/A Loan Guarantee/Florida Export FNC Corp..\$1,500,000
- G/A Defense Reinvestment.....\$ 500,000
- G/A EFI-Capital, Innovation, Quick Response..\$4,000,000
- G/A Targeted Industry Incentive Program\$ 175,000
- G/A Jobs and Education - Operation.....\$ 283,446
- Brownfields Redevelopment.....\$5,000,000
- Microelectronics.....\$7,000,000
- Micro Enterprise Capital.....\$5,000,000
- Pilot Job Training Matching Grant Program...\$2,000,000
- International Marketing of Fla. Lottery
Feasibility Commission.....\$ 500,000
- International Notary.....\$ 100,000
- Florida Export Finance Corp-Administration..\$1,600,000
- Linkage Institutes.....\$ 300,000
- FAVA/CA.....\$ 200,000
- Targeted Industry Reconnaissance Program....\$2,300,000

From funds provided in Specific Appropriation 1633A from the Florida International Trade and Promotion Trust Fund the following appropriations are for the named economic development initiatives:

- G/A Enterprise Florida Program Operations...\$2,430,433
- G/A FAVA/CA.....\$ 333,212

Trade Information System.....\$ 290,525
International Business Grants..... \$2,000,000

From funds provided in Specific Appropriation 1633A from the Economic Development Trust Fund the following appropriations are for the named economic development initiatives:

G/A Defense Reinvestment.....\$ 275,000
G/A Targeted Industry Incentive Program....\$1,100,000

Senators Dyer and Ostalkiewicz offered the following amendment which was moved by Senator Childers and adopted:

Amendment 42—

In Section: 06 On Page: 257 Specific Appropriation: 1647
Delete Insert

GOVERNOR, EXECUTIVE OFFICE OF THE
General Office

In Section 06 On Page 257

1647 Grants And Aids To Local Governments
And Nonprofit Organizations
Economic Development Transportation
Projects

On page 258, following the last proviso after
Specific Appropriation 1647 INSERT the following:

From funds provided in Specific Appropriation 1647, \$3,500,000 shall be provided to the Department of Transportation for the purpose of constructing an Interchange at the Intersection of Interstate 4 and County Road 46A in North Seminole County.

Senator Jones offered the following amendment which was moved by Senator Childers and adopted:

Amendment 43—

In Section: 06 On Page: 258 Specific Appropriation: 1649B
Delete Insert

GOVERNOR, EXECUTIVE OFFICE OF THE
General Office

In Section 06 On Page 258

1649B Grants And Aids To Local Governments
And Nonprofit Organizations
1997 Goombay Festival

From General Revenue Fund 300,000 250,000

1649C Grants And Aids To Local Governments
And Nonprofit Organizations
Black Enterprise Challenge

From General Revenue Fund 50,000

Senator Lee offered the following amendment which was moved by Senator Childers and adopted:

Amendment 44—

In Section: 06 On Page: 258 Specific Appropriation: 1649B
Delete Insert

GOVERNOR, EXECUTIVE OFFICE OF THE
General Office

In Section 06 On Page 258

1649B Grants And Aids To Local Governments
And Nonprofit Organizations
1997 Goombay Festival

From General Revenue Fund 300,000 0

1649C Grants And Aids To Local Governments
And Nonprofit Organizations
Local Government Festivals

From General Revenue Fund 300,000

Following Specific Appropriations 1649B INSERT the following:

Funds are provided for Local Government Festivals to be used for the Plant City Strawberry Festival, the Ruskin Seafood Festival, the Brandon Balloon Festival, and the Temple Arts Festival.

Senator Forman offered the following amendment which was moved by Senator Childers and adopted:

Amendment 45—

In Section: 06 On Page: 258 Specific Appropriation: 1649C
Delete Insert

GOVERNOR, EXECUTIVE OFFICE OF THE
General Office

In Section 06 On Page 258

1649C Grants And Aids To Local Governments
And Nonprofit Organizations
Broward County Division Of Libraries

From General Revenue Fund 50,000

Senator Turner offered the following amendment which was moved by Senator Childers and adopted:

Amendment 46—

In Section: 06 On Page: 315 Specific Appropriation: 2072B
Delete Insert

STATE, DEPARTMENT OF, AND SECRETARY OF
STATE
Historical Resources, Division Of

In Section 06 On Page 315

2072B Grants And Aids To Local Governments
And Nonprofit Organizations
Biscayne Park Public Facilities

From General Revenue Fund 150,000

Senators McKay and Harris offered the following amendment which was moved by Senator Childers and adopted:

Amendment 47—

In Section: 06 On Page: 322 Specific Appropriation: 2134
Delete Insert

STATE, DEPARTMENT OF, AND SECRETARY OF
STATE
Ringling Museum Of Art, Board Of
Trustees Of The John And Mable

In Section 06 On Page 322

2134 Fixed Capital Outlay
Emergency Repairs - Dms Mgd

From General Revenue Fund 200,000 1,400,000

Senator Dudley offered the following amendment which was moved by Senator Horne and adopted:

Amendment 48—

In Section: 49 On Page: 337 Specific Appropriation: Delete Insert
Insert a new Section 26 and renumber subsequent sections.

SECTION 26. The unexpended balances of funds for Florida Gulf Coast University provided in Specific Appropriation 57A of Chapter 94-357, Laws of Florida, Specific Appropriation 199 of Chapter 95-429, Laws of Florida and Specific Appropriation 190 of Chapter 96-424, Laws of Florida are hereby reappropriated.

Senator Grant offered the following amendment which was moved by Senator Horne and adopted:

Amendment 49—

In Section: 02 On Page: 013 Specific Appropriation: 39 Delete Insert
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION
Office Of Deputy Commissioner For Planning, Budgeting And Management

39 In Section 02 On Page 013
Fixed Capital Outlay
State University System Projects

In the existing proviso for Specific Appropriation 39,
DELETE 35,367,501 and INSERT 34,367,500

and on page 14, in the list of projects for USF
"Psychology/CSD/Lab Building (c)"
DELETE 10,000,000 and INSERT 11,000,000

Senator Holzendorf offered the following amendment which was moved by Senator Horne and adopted:

Amendment 50—

In Section: 02 On Page: 026 Specific Appropriation: 103B Delete Insert
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION
Public Schools, Division Of

103B In Section 02 On Page 026
Aid To Local Governments
Grants And Aids - School Health Screenings

Add the following new proviso as the first sentences of proviso following Specific Appropriation 103B on page 26.

From the funds in Specific Appropriation 103B, \$1,000,000 is provided for an eye examination and screening program for students in grades kindergarten through three. The method of screening shall be color photorefracton as developed and patented by the National Aeronautics and Space Administration.

Senator Meadows offered the following amendment which was moved by Senator Horne and adopted:

Amendment 51—

In Section: 02 On Page: 037 Specific Appropriation: 129A Delete Insert
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION
Public Schools, Division Of

In Section 02 On Page 037

129A Special Categories
Grants And Aids - School And Instructional Enhancement

From General Revenue Fund 2,000,000

Add the following paragraph of proviso following Specific Appropriation 129A on page 37:

From the funds in Specific Appropriation 129A, \$2,000,000 is provided for the start-up cost associated with implementation of Reading Recovery programs. Funds shall be allocated to school districts in the form of competitive matching grants. Preference shall be given to districts which have consistently low reading scores and to districts willing to allocate existing resources to the program. Districts which have already implemented Reading Recovery programs shall not be penalized in the grant process and may be eligible to receive reimbursement for costs previously incurred. The Commissioner shall develop guidelines to implement this program; these guidelines shall be submitted to the State Board of Education for approval.

Senator Dantzler offered the following amendment which was moved by Senator Horne and adopted:

Amendment 52—

In Section: 02 On Page: 048 Specific Appropriation: 173 Delete Insert

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION
Universities, Division Of Educational And General Activities

In Section 02 On Page 048

173 Lump Sum
Educational And General Activities

From Phosphate Research Trust Fund 5,175,581 5,514,539

Senator Turner offered the following amendment which was moved by Senator Horne and adopted:

Amendment 53—

In Section: 02 On Page: 048 Specific Appropriation: 173 Delete Insert

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION
Universities, Division Of Educational And General Activities

In Section 02 On Page 048

173 Lump Sum
Educational And General Activities

In Section 2, on page 48 following Line Item 173, insert a new parenthesis 2) and renumber subsequent sections.

2) Each university shall develop a plan and shall allocate the resources required for career counseling and other student advising activities in order to implement Degree Funding Performance Based Budgeting.

Senator Sullivan offered the following amendment which was moved by Senator Horne and adopted:

Amendment 54—

In Section: 02 On Page: 054 Specific Appropriation: 190A
Delete

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Board Of Regents General Office

In Section 02 On Page 054

190A Special Categories
Challenge Grants/Facilities Matching

In Section 02 on page 54, delete the second
paragraph of proviso following Line Item 190A.

Senator Kurth offered the following amendment which was moved by
Senator Myers and adopted:

Amendment 55—

In Section: 03 On Page: 060 Specific Appropriation: 214
Delete

BUSINESS AND PROFESSIONAL REGULATION,
DEPARTMENT OF AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid Services

In Section 03 On Page 060

214

INSERT the following proviso after the existing
proviso which follows the title, MEDICAID SERVICES:

The Agency for Health Care Administration shall pursue with the
federal Health Care Financing Administration (HCFA) the feasibility
and potential for a Medicaid waiver for services to persons with
AIDS. Included in the options shall be the issues of waiving the
requirement of prior SSI eligibility, of limiting medicaid coverage to
selected services (i.e., prescribed medicines), and permitting a Medi-
caid "Buy-In" for services. The Agency shall pursue various options
and report to the Chairmen of the Senate Ways and Means Commit-
tee and the House Committee on Fiscal Responsibility on those
feasible options and associated costs by February 1, 1998.

Senator Myers moved the following amendment which was adopted:

Amendment 56—

In Section: 03 On Page: 086 Specific Appropriation: 344
Delete

CHILDREN AND FAMILIES, DEPARTMENT OF
District Services
Children And Family Services

In Section 03 On Page 086

344 Special Categories
Grants And Aids - Domestic Violence
Program

From General Revenue Fund 250,000

Immediately following Specific Appropriation 344,
INSERT:

From funds appropriated in Specific Appropriation 344, \$250,000
from the General Revenue Fund and \$250,000 from the Domestic
Violence Trust Fund are provided for Women in Distress of Broward
County.

In Section 03 On Page 085
338A Lump Sum
Child Protection Enhanced Training

DELETE the proviso immediately following Specific
Appropriation 338A that reads:

From funds appropriated in Specific Appropriation 338A, non-
recurring funds in the amount of \$500,000 are provided for Women
in Distress of Broward County.

HEALTH, DEPARTMENT OF
Health Services

In Section 03 On Page 103
448 Expenses

From General Revenue Fund 4,813,857 4,563,857

Senator Rossin offered the following amendment which was moved by
Senator Myers and adopted:

Amendment 57—

In Section: 03 On Page: 88 Specific Appropriation: 352-B
Delete

CHILDREN AND FAMILIES, DEPARTMENT OF
District Services
Children And Family Services

In Section 03 On Page 88
352-B Grants And Aids To Local Governments
And Nonprofit Organizations
Project Home Safe - Palm Beach County

From Federal Grants Trust Fund 500,000

Senator Clary offered the following amendment which was moved by
Senator Myers and adopted:

Amendment 58—

In Section: 03 On Page: 099 Specific Appropriation: 425B
Delete

ELDER AFFAIRS, DEPARTMENT OF

In Section 03 On Page 099
425B Grants And Aids To Local Governments
And Nonprofit Organizations
Autumn House Assisted Living Facility -
Okaloosa

From General Revenue Fund 200,000

HEALTH, DEPARTMENT OF
Health Services

In Section 03 On Page 108
485A Fixed Capital Outlay
Construction, Renovation And Repairs -
State Tuberculosis Hospital

From General Revenue Fund 8,000,000 7,800,000

Senator Bankhead offered the following amendment which was moved
by Senator Myers and adopted:

Amendment 59—

In Section: 03 On Page: 103 Specific Appropriation: 448
Delete

HEALTH, DEPARTMENT OF
Health Services

Insert

448 In Section 03 On Page 103
Expenses

From General Revenue Fund	4,813,857	4,763,857
---------------------------	-----------	-----------

449 Aid To Local Governments
Grants And Aids - Family Planning
Services

From General Revenue Fund	7,819,168	7,869,168
---------------------------	-----------	-----------

Immediately following Specific Appropriation 449,
INSERT:

From funds appropriated in Specific Appropriation 449, the sum of \$50,000 from recurring general revenue shall be provided for the Child Birth and Parenting Association of St. Johns County.

Senator Jones offered the following amendment which was moved by Senator Myers and adopted:

Amendment 60—

In Section: 03 On Page: 108 Specific Appropriation: 485B
Delete Insert

HEALTH, DEPARTMENT OF
Health Services

485B In Section 03 On Page 108
Fixed Capital Outlay
Construction, Renovation, And Equipment
- County Health Departments

From General Revenue Fund	13,094,891	13,294,891
---------------------------	------------	------------

In Section 03 on page 108 in the proviso following
Specific Appropriation 485B:

DELETE from the last line of proviso "and \$250,000 for Osceola."

INSERT as the last line of proviso following Specific
Appropriation 485B:

"\$250,000 for Osceola, and \$200,000 for West Perrine-Dade."

Senator Williams offered the following amendments which were moved by Senator Myers and adopted:

Amendment 61—

In Section: 03 On Page: 108 Specific Appropriation: 485B
Delete Insert

HEALTH, DEPARTMENT OF
Health Services

485B In Section 03 On Page 108
Fixed Capital Outlay
Construction, Renovation, And Equipment
- County Health Departments

In Section 03 on page 108 following line 018, DELETE
the following:

\$1,464,000 for Nassau-Yulee and INSERT \$1,389,000 for Nassau-Yulee and \$75,000 for Ft. White-Columbia County

Amendment 62—

In Section: 03 On Page: 108 Specific Appropriation: 485B
Delete Insert

HEALTH, DEPARTMENT OF
Health Services

In Section 03 On Page 108

485B Fixed Capital Outlay
Construction, Renovation, And Equipment
- County Health Departments

In Section 03 on page 108 following line 018, DELETE
the following:

\$1,464,000 for Nassau-Yulee and INSERT \$1,075,000 for Nassau-Yulee and \$389,000 for Baker County

Senators Dudley and Silver offered the following amendment which was moved by Senator Silver and adopted:

Amendment 63—

In Section: 04 On Page: 148 Specific Appropriation: 898
Delete Insert

JUVENILE JUSTICE, DEPARTMENT OF
Office Of Secretary And Management And
Budget

In Section 04 On Page 148

898 Salaries And Benefits

In Section 04 on page 148 immediately PRIOR TO
Specific Appropriation 898, INSERT the following:

From the funds in Specific Appropriations 898 through 936, by February 1, 1998, the department must report to the Legislature and to the Office of the Governor the following information, to the extent available, for fiscal year 1996-97 and estimates for fiscal year 1997-98:

- The number and percent of juvenile cases received that are detained in juvenile detention centers prior to adjudication.
- The number and percent of juveniles committed to residential programs, by level of commitment, that are detained in juvenile detention centers after adjudication while awaiting a commitment bed.
- The average length of stay in detention post adjudication while awaiting a commitment bed.
- The number of youth that are placed in a commitment program, by level of commitment.
- The average length of stay in commitment programs, by level of commitment, for youth discharged during the fiscal year.
- The number and percent of juvenile cases received that are placed on Community Control.
- The average caseload of youth supervised on Community Control.
- The number and percent of programs for which a quality assurance review is completed.
- The percent of programs receiving an overall satisfactory or better rating in their quality assurance review.
- The number of contracts executed with private providers.
- The number and percent of contracts awarded on a competitive basis.
- The number and dollar value of grants awarded to local community organizations.
- The ratio of direct care staff to youth in programs; and the ratio of non-direct care staff to youth in programs.
- The number of contract monitoring reviews conducted.
- The ratio of staff monitoring contracts to the number of contracts and to the number of contract reviews conducted.

Senator Silver moved the following amendments which were adopted:

Amendment 64—

In Section: 04 On Page: 148 Specific Appropriation: 904
Delete Insert

JUVENILE JUSTICE, DEPARTMENT OF
Office Of Secretary And Management And
Budget

In Section 04 On Page 148

904 Special Categories
Grants And Aids - Contracted Services

In Section 04 on page 148 following line 027, INSERT
the following:

From the funds in Specific Appropriation 904, \$459,000 from General Revenue Fund is provided for the Juvenile Justice Role Model Development Project.

Amendment 65—

In Section: 04 On Page: 149 Specific Appropriation: 911
Delete Insert

JUVENILE JUSTICE, DEPARTMENT OF
District Operations

911 In Section 04 On Page 149
Salaries And Benefits

From Social Services Block
Grant Trust Fund 8,584,689 9,914,478

Juvenile Justice Institutions

929 In Section 04 On Page 154
Salaries And Benefits

From Social Services Block
Grant Trust Fund 1,144,984 1,855,993

935 Special Categories
Grants And Aids - Contractual
Services-Okeechobee Training School

From Social Services Block
Grant Trust Fund 1,503,873 2,546,273

Senator Holzendorf offered the following amendment which was moved by Senator Silver and adopted:

Amendment 66—

In Section: 04 On Page: 149 Specific Appropriation: 918
Delete Insert

JUVENILE JUSTICE, DEPARTMENT OF
District Operations

In Section 04 On Page 149

918 Special Categories
Grants And Aids - Contracted Services

In Section 04 on page 149 following line 40, INSERT
the following:

From the funds in Specific Appropriation 918, \$250,000 from General Revenue Fund is provided for the Duval County Community/Church-Based Out-of-School Suspension Pilot Project.

In Section 04 On Page 151

In Section 04 on page 151 following line 6, DELETE
the following:

prevention program in Spring Hill; \$766,766 from General Revenue funds may be used by the department for an average of 9 months funding for other community diversion programs statewide; and

In Section 04 on page 151 following line 6, INSERT
the following:

prevention program in Spring Hill; \$516,766 from General Revenue funds may be used by the department for an average of 9 months funding for other community diversion programs statewide; and

Senator Dyer offered the following amendment which was moved by Senator Silver and adopted:

Amendment 67—

In Section: 04 On Page: 154 Specific Appropriation: 926-A
Delete Insert

JUVENILE JUSTICE, DEPARTMENT OF
District Operations

926-A In Section 04 On Page 154
Fixed Capital Outlay
Orlando Sunland Demolition Study

From General Revenue Fund 100,000

Senator Silver moved the following amendment which was adopted:

Amendment 68—

In Section: 07 On Page: 328 Specific Appropriation: 2165-B
Delete Insert

STATE COURT SYSTEM
Circuit Courts

2165-B In Section 07 On Page 328
Lump Sum
Child Support Enforcement Staffing
Positions 0 38
From Grants And Donations
Trust Fund 1,601,393

In Section 07 on page 328 following Specific
Appropriation 2165-B INSERT the following proviso:

Funds and positions in Specific Appropriation 2165B are contingent upon funds received from the Department of Revenue for additional Hearing Officers to address workload needs for Child Support Enforcement cases.

Senator Turner moved the following amendment which failed:

Amendment 69—

In Section: 05 On Page: 210 Specific Appropriation: 1332E
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Recreation And Parks, Division Of

1332E In Section 05 On Page 210
Grants And Aids To Local Governments
And Nonprofit Organizations
City Of Miami Parks

From Land Acquisition Trust
Fund 500,000

Amendments 70—95 were withdrawn.

Senator Scott moved the following amendment which was adopted:

Amendment 96—

In Section: 05 On Page: 211 Specific Appropriation: 1338A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Air Resources Management, Division Of

1338A In Section 05 On Page 211
 Special Categories
 Electric Vehicle Incentive Program

From Air Pollution Control
 Trust Fund 900,000

Following Specific Appropriation 1338A, INSERT:

From funds provided in Specific Appropriation 1338A an incentive program is hereby established to encourage the purchase of electric vehicles. Such funds shall be administered by the Secretary of the Department of Environmental Protection and shall be distributed to the first 300 individual consumers of electric vehicles at an equal rate.

Amendments 97—127 were withdrawn.

Amendments 129 and 130 were withdrawn.

Senator Dudley moved the following amendment which was adopted:

Amendment 131—

In Section: 06 On Page: 308 Specific Appropriation: 2019
 Delete Insert

REVENUE, DEPARTMENT OF
 Child Support Enforcement Program

2019 In Section 06 On Page 308
 Lump Sum
 Implement Federal Provisions For Child
 Support Enforcement

Positions	0	375	
From General Revenue Fund			10,500,000
From Child Support Trust Fund			7,000,000
From Grants And Donations Trust Fund			34,000,000

MOTION

On motion by Senator Bankhead, the rules were waived and time of recess was extended until completion of SB 2400.

Senator Thomas moved the following amendment which was adopted:

Amendment 132—

In Section: 06 On Page: 315 Specific Appropriation: 2072A
 Delete Insert

STATE, DEPARTMENT OF, AND SECRETARY OF
 STATE
 Historical Resources, Division Of

2072A In Section 06 On Page 315
 Grants And Aids To Local Governments
 And Nonprofit Organizations
 Grants And Aids - Special Categories -
 Acquisition, Restoration Of Historic Properties

From General Revenue Fund	12,011,824	12,124,074
---------------------------	------------	------------

Delete the proviso following 2072A and INSERT new proviso:

Funds in Specific Appropriation 2072B are provided to fund the historic preservation projects that were selected in accordance with Chapter 1A-35.008(4), Florida Administrative Code, and included in the Department of State's legislative budget request for 1997-98, except that \$112,250 are provided for the Historic Preservation of St. Patrick's Catholic Church.

Senator Kurth moved the following amendment which was adopted:

Amendment 133—

In Section: 06 On Page: 315 Specific Appropriation: 2072A
 Delete Insert

STATE, DEPARTMENT OF, AND SECRETARY OF
 STATE
 Historical Resources, Division Of

In Section 06 On Page 315

2072A Grants And Aids To Local Governments
 And Nonprofit Organizations
 Grants And Aids - Special Categories -
 Acquisition, Restoration Of Historic Properties

Following Specific Appropriation 2072A delete all of said proviso and INSERT new proviso:

Funds in Specific Appropriation 2072A are provided to fund the historic preservation projects that were selected in accordance with Chapter 1A-35.008(4), Florida Administrative Code, and included in the Department of State's legislative budget request for 1997-98, except that \$72,000 are provided for the Women in Military Service for America Memorial Foundation (WIMSA).

Senator Bankhead moved the following amendment which was adopted:

Amendment 134—

In Section: 06 On Page: 322 Specific Appropriation: 2131
 Delete Insert

STATE, DEPARTMENT OF, AND SECRETARY OF
 STATE
 Historic Preservation Boards
 Historic Palm Beach County Preservation
 Board

In Section 06 On Page 322

2131 Special Categories
 Risk Management Insurance

Following Specific Appropriation 2131 INSERT proviso:

From the funds in Specific Appropriation 2112 through 2131, the Department of State is authorized to use unexpended balances to provide regional preservation services, continue operations and maintenance of historic properties, or enter into contracts with municipalities or non-profit organizations to continue operations and maintenance of historic properties.

RECONSIDERATION OF AMENDMENT

On motion by Senator Bankhead, the Senate reconsidered the vote by which Amendment 134 was adopted.

Senator Bankhead moved the following substitute amendment which was adopted:

Substitute Amendment 134—

In Section: 06 On Page: 321 Specific Appropriation: 2116
 Delete Insert

STATE, DEPARTMENT OF, AND SECRETARY OF
 STATE
 Historic Preservation Boards
 Historic St Augustine Preservation Board

In Section 06 On Page 321

2116 Special Categories
Risk Management Insurance

Following Specific Appropriation 2116 INSERT proviso:

From the funds in Specific Appropriation 2112 through 2116, the Department of State is authorized to use unexpended balances as of January 1, 1998 to enter into contracts with the City of St. Augustine to continue operations and maintenance of historic properties.

Senators Jenne, Kurth and Forman offered the following amendment which was moved by Senator Jenne:

Amendment 135—

In Section: 02 On Page: 011 Specific Appropriation: 38

Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Office Of Deputy Commissioner For
Planning, Budgeting And Management

In Section 02 On Page 011

38 Fixed Capital Outlay
Community College Projects

In Section 02 on page 11, delete ALL proviso following Specific Appropriation 38, and INSERT the following:

The following community college projects are included in the funds provided in Specific Appropriation 38:

Sys - Land & Facilities Acquisition	\$23,181,988
Brevard-Gen ren/rem, Stu Ctr & Criminal Just Bldg - Mel.....	1,150,000
Rem/rem Classroom & Library - Cocoa partial.....	2,755,000
Broward - Student Ctr Second Floor Addition/Rem-Central complete (c, e)	3,373,327
Gen ren/rem, Chiller, HVAC, energy mgt, comm sys, ADA, site improv.....	1,750,000
Student Svcs Ctr - North partial (c)...	6,500,029
Rem/rem Bldg 47 / Computer & Reading Labs - North partial.....	1,839,421
Central Florida-Gen ren/rem, critical mech/elec, ADA, roofing, site improvements.....	891,600
Rem/rem Bldg 2, 7, 9 & 19 - Main.....	350,000
Chipola-Public Service Tech Bldg.....	624,406
English/Clsrms Building complete(c,e).	2,808,749
Gen ren/rem, ADA, PE fields, site improvements.....	300,000
Daytona Beach-Allied Health/Science Bldg Addition & Parking-Main partial (p,c)	700,000
Gen ren/rem, undergrd utilities, Bldgs 8, 25, 27, LRC plg, fields.....	2,409,479
Edison-Clsrms/Dis Lng/Video Fac Handicap req & parking impv (p,c,e).....	1,260,000
Gen ren/rem, energy proj 13 Bldgs, Fire safety, HVAC, site imprv.....	544,234
Florida @ Jacksonville-Clsrms/Labs/Lib/ Stu Svcs PhII - Nassau partial.....	545,900
Gen ren/rem, ADA, HVAC, remove fuel tanks, lights, util, roof.....	1,175,474
Rem/rem Deerwood Center partial (spc)..	2,842,419
Florida Keys-Gen ren/rem, roofs, sew plt, telecomm, HVAC, ADA, site imprv.....	572,000
Gulf-Gen ren/rem, HVAC, energy mgt sys	

Soc Sci & LRC.....	576,050
Rem/rem Fine Arts Bldg partial.....	1,338,000
Crim Just Labs/Econ Dev mtch-Gulf complete (c,e).....	500,000
Hillsborough-Clsrms/Science Labs/Office Bldg - Dale Mabry complete (e).....	908,510
Gen ren/rem, HVAC, energy mgt, parking ADA, utilities, hazrds mat.....	1,075,000
Rem/rem Library, Science, Hum Bldg - DM partial.....	719,434
Indian River-Allied Health Inst Fac complete (c,e).....	1,682,000
Gen ren/rem, roofs, ADA, utilities, parking, site improv, HVAC.....	900,000
Lake City-Gen ren/rem, lockers, HVAC, Tech Bldg.....	500,000
Lake Sumter-South Lake County Ctr complete (c,e).....	2,278,695
Gen ren/rem, roofs, comm sys, site imp, ADA, lighting, HVAC.....	350,000
Library/Student Svcs Ctr/w County & School Bd match Sumter (p,c).....	385,000
Manatee-Comprehensive Student Center Fac - Main complete (c, e).....	300,000
Gen ren/rem, utilities, fire main, HVAC, ducts, roofs, ADA.....	702,600
Miami-Dade-Gen ren/rem collegewide.....	7,206,753
Rem/rem clrms/labs/sup fac-Wolfson partial.....	1,748,120
North Florida-Gen ren/rem, site imp, roofing, handicap access, ADA.....	729,455
Okaloosa-Walton-Gen ren/rem, utilities, parking, site imps, safety, elec, cooling towers.....	520,000
Palm Beach-Gen ren/rem, flood cntr, safety, roofs, parkg, utilities, lights, rds.....	1,800,000
Pasco-Gen ren/rem, roofs, HVAC, elec/light sys, ADA.....	583,351
Rem/rem Bus DP Labs Bldgs 4 & 5 - West.	884,802
Rem/rem 1 Classrooms, Labs - North partial.....	868,585
Pensacola-Gen ren/rem, roofs, HVAC, engy mgt, lights - Districtwide.....	809,634
Polk-Gen ren/rem, HVAC, elec alarm sys, ADA, lights, parking, comm sys.....	632,868
Student Center Addition (50/50 match) complete (p, c, e).....	774,445
St. Johns River-Student Svcs Ctr - Orange Park complete (c, e).....	190,000
Gen ren/rem, HVAC, Sci, Tech & LRC, ADC req elev, auto drs.....	592,000
JT/Clay Co Schs-Clsrms/Auditorium w/ County mtch partial (p).....	168,750
St. Petersburg-Clsrms, Labs, Offices Ph II - TS partial (p).....	400,000
Gen ren/rem, Bldgs, roofs, HVAC, ADA, site improvements.....	2,353,800
Rem/rem Food Svcs, Admin Bldgs & Gym - SP/G.....	2,002,930
Rem/rem TA, LA, FA, FH w/addition- CL partial.....	2,402,166
Rem/rem Med Tech, Vet Tech & Funrl Srvcs const-HEC, Allstate.....	547,386
Classrooms/labs/offices Phase II w/city match Seminole Partial(p,c).....	2,195,000
Santa Fe-Science Lab Bldg complete (e)..	337,313
Gen ren/rem, HVAC, ADA, utilities sys..	839,244
Rem/rem Bldg G Bookstore to Dev Lab/ clsrms partial.....	357,126
Seminole-Science Laboratory Bldg	

Addition complete (e).....	727,442
Clstrms/Sci Labs/Office Bldgs - East	
Ctr. Ph I partial (c).....	7,350,234
Ren/rem energy mgt sys, road, comm sys,	
site dev.....	750,000
Rem/rem Science Bldg floors 2 & 3	
partial.....	224,877
South Florida-Public Service Tech Bldg	
partial (s, c).....	750,000
Gen ren/rem, roofing, asbestos removal.	693,730
Tallahassee-Gen Classrooms/Laboratory	
Building complete (p, c, e).....	4,000,000
Gen ren/rem, extended studies safety,	
ed fac const, utilities.....	1,500,000
Valencia-Lib Arts/Health Ph I Bldg II-	
Osceola partial (c, e).....	11,206,009
Gen ren/rem & site improvements-	
collegewide.....	1,200,000
Rem/rem Modules 1,2,4 & 6/Clasrms,	
Labs, Stu Svcs-West partial.....	310,000

Senator Jenne moved the following amendment to **Amendment 135** which was adopted:

Amendment 135A—

In Section: 02 On Page: 011 Specific Appropriation: 38

Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Office Of Deputy Commissioner For
Planning, Budgeting And Management

In Section 02 On Page 011

38 Fixed Capital Outlay
Community College Projects

In the list of projects on page 1 of Amendment B135,
for the first project listed "Sys - Land &
Facilities Acquisition"

DELETE "\$23,181,988" and INSERT "\$22,834,588"

In the list of projects on page 2 of Amendment B135, for the project
listed "Manatee Gen ren/rem, utilities, fire main, HVAC, ducts,
roofs, ADA.....702,600 DELETE "702,600" and INSERT "450,000"

In the list of projects on page 2 of Amendment B135,
add the project below following the last project for
Manatee

INSERT: Neel House Auditorium remodeling...600,000

Amendment 135 as amended was adopted.

Senator Gutman moved the following amendment:

Amendment 136—

In Section: 02 On Page: 048 Specific Appropriation: 173

Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Educational And General Activities

In Section 02 On Page 048

173 Lump Sum
Educational And General Activities

From General Revenue Fund	1,030,913,478	1,030,659,478
Private Colleges And Universities		
In Section 02 On Page 021		
76A Special Categories		
University Of Miami - School Of Communication		
From General Revenue Fund		254,000

Senator Gutman moved the following substitute amendment which was adopted:

Substitute Amendment 136—

In Section: 02 On Page: 048 Specific Appropriation: 173

Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Educational And General Activities

In Section 02 On Page 048

173 Lump Sum
Educational And General Activities

From General Revenue Fund	1,030,913,478	1,030,659,478
---------------------------	---------------	---------------

Private Colleges And Universities

In Section 02 On Page 020

73 Special Categories
University Of Miami - Bs/Motion
Pictures Contract

From General Revenue Fund	290,657	544,657
---------------------------	---------	---------

Insert the following proviso after the Line Item 73:

Funds in Specific Appropriation 73, \$254,000 for the purchase of equip-
ment.

Amendments 137 and 138 were withdrawn.

Senator Casas moved the following amendment which was adopted:

Amendment 139—

In Section: 02 On Page: 025 Specific Appropriation: 102

Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Public Schools, Division Of

In Section 02 On Page 025

102 Aid To Local Governments
Grants And Aids - Innovative Practices
Grants

At the end of the second line of the third paragraph
of proviso following Specific Appropriation 102 on
page 25,

DELETE the period and INSERT

, and \$10,000 is provided for the Florida High School Project.

Amendment 140 was withdrawn.

Senators Dudley and Kurth offered the following amendment which was moved by Senator Dudley and adopted:

Amendment 141—

In Section: 02 On Page: 027 Specific Appropriation: 105

DELETE INSERT

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION Public Schools, Division Of

In Section 02 On Page 027

105 Aid To Local Governments Grants And Aids - Florida Educational Finance Program

In the third line of the second paragraph of proviso following Specific Appropriation 105 on page 26:

DELETE "\$2,966.55" and INSERT "\$2,982.54"

and in the middle of the page on page 27 following the words "...cost factors for 1997-98 as follows:" DELETE

- 1. Basic Programs A. K-3 Basic 1.054 B. 4-8 Basic 1.000 C. 9-12 Basic 1.179
2. Special Programs for Exceptional Students A. ESE Support Level I 1.350 B. ESE Support Level II 2.086 C. ESE Support Level III 3.309 D. ESE Support Level IV 4.129 E. ESE Support Level V 6.906 F. Adult Handicapped 0.891
3. Special Programs for At-Risk Students A. Dropout Prevention 1.000 B. Teenage Parent 1.416 C. ESOL K-3 1.254 D. ESOL 4-8 1.267 E. ESOL 9-12 1.288
4. Grades 6-12 Vocational Programs A. Vocational Support Level I 1.190 B. Vocational Support Level II 1.220 C. Vocational Support Level III 1.292 D. Vocational Support Level IV 1.400 E. Vocational Support Level V 1.650

and INSERT:

- 1. Basic Programs A. K-3 Basic 1.054 B. 4-8 Basic 1.000 C. 9-12 Basic 1.169 D. K-3 Mainstream 2.108 E. 4-8 Mainstream 2.000 F. 9-12 Mainstream 2.338
2. Special Programs for Exceptional Students A. Educable Mentally Handicapped 1.951 B. Trainable Mentally Handicapped 3.072 C. Physically Handicapped 3.072 D. Physical and Occupational Therapy Part-Time 12.904 E. Speech, Language and Hearing Part-Time 5.249 F. Speech, Language and Hearing 2.714 G. Visually Handicapped Part-Time 17.102 H. Visually Handicapped 5.249

- I. Emotionally Handicapped Part-Time 4.224 J. Emotionally Handicapped 2.714 K. Specific Learning Disability Part-Time 2.714 L. Specific Learning Disability 1.951 M. Gifted Part-Time 1.637 N. Hospital and Homebound Part-Time 12.904 O. Profoundly Handicapped 4.224 P. Adult Handicapped 0.891

- 3. Special Programs for At-Risk Students A. Dropout Prevention 1.000 B. Teenage Parent 1.438 C. ESOL K-3 1.245 D. ESOL 4-8 1.245 E. ESOL 9-12 1.245
4. Grades 6-12 Vocational Programs A. Vocational Support Level 1 1.190 B. Vocational Support Level 2 1.220 C. Vocational Support Level 3 1.292 D. Vocational Support Level 4 1.400 E. Vocational Support Level 5 1.650 F. Vocational Mainstream 1.923

Full implementation of the revised funding model for exceptional student education programs will begin on July 1, 1998. Districts with summer programs that span both the 1997-98 and 1998-99 school years may begin at the beginning of the first regular term of the 1998-99 school year with Department of Education approval. All school districts shall provide training approved by the Department of Education to all exceptional education teachers and site administrators on the matrix of services by October 1, 1997. School districts shall provide information to parents on the impact of the revised funding model. All districts shall complete a matrix of services for all exceptional students and report the results to the Department of Education in a manner prescribed by the Department by November 15, 1997. School districts shall take appropriate actions to adjust school allocation formulas and procedures for implementation of the revised funding model.

The Department of Education shall review the results of the matrix of services submitted by districts to determine their consistency statewide and, if necessary, shall take appropriate action to correct any deficiencies prior to the submission of enrollment projections for the 1998-99 school year. The Department shall work with school district personnel to develop procedures and data required to identify costs associated with programs 251 - 255. The Commissioner of Education is authorized to grant existing schools piloting the revised funding model waivers for applicable statutes and State Board of Education rules.

Amendment 142 was withdrawn.

Senator Grant moved the following amendment:

Amendment 143—

In Section: 02 On Page: 036 Specific Appropriation: 125 Delete Insert

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION Public Schools, Division Of

125 In Section 02 On Page 036 Special Categories Grants And Aids - Public Broadcasting

From General Revenue Fund 8,891,702 8,787,876

On page 36, the last sentence in the first paragraph following Line Item 125,

DELETE: "and \$103,825 for radio station WMNF."

Universities, Division Of
Educational And General Activities

173 In Section 02 On Page 048
Lump Sum
Educational And General Activities

From General Revenue Fund 1,030,913,478 1,031,017,304

On page 51, the 2nd full paragraph of proviso which lists issues funded:

ADD:

17) \$300,000 for the Entrepreneurship and Management of Technology Program.

Senator Grant moved the following substitute amendment which was adopted:

Substitute Amendment 143—

In Section: 02 On Page: 036 Specific Appropriation: 125
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Public Schools, Division Of

125 In Section 02 On Page 036
Special Categories
Grants And Aids - Public Broadcasting

From General Revenue Fund 8,891,702 8,787,876

Universities, Division Of
Educational And General Activities

173 In Section 02 On Page 048
Lump Sum
Educational And General Activities

From General Revenue Fund 1,030,913,478 1,031,017,304

173- Lump Sum
Educational And General Activities

In Section 02 on page 051 the second full paragraph of proviso which lists issues funded INSERT:

17) \$103,826 for the Entrepreneurship and Management of Technology Program at USF.

Amendments 144—147 were withdrawn.

Senator Jenne moved the following amendment which was adopted:

Amendment 148—

In Section: 02 On Page: 048 Specific Appropriation: 173
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Educational And General Activities

In Section 02 On Page 048

173 Lump Sum
Educational And General Activities

In Section 02 on page 51 following the last paragraph of proviso, INSERT the following:

From the increased funding in Specific Appropriation 173 for Technology Equipment, \$10,000 shall be allocated to the SUS Press for additional production costs.

Senators Holzendorf, Thomas, Hargrett, Turner and Jones offered the following amendment which was moved by Senator Holzendorf:

Amendment 149—

In Section: 02 On Page: 048 Specific Appropriation: 173
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Educational And General Activities

In Section 02 On Page 048

173 Lump Sum
Educational And General Activities

Insert new proviso following Line Item 173 after the last paragraph of proviso on page 51.

From the funds in Specific Appropriation 173, \$4,500,000 shall be allocated to FAMU and \$1,000,000 shall be allocated to each of the following: Bethune-Cookman College, Edward Waters College and Florida Memorial College for the Office of Civil Rights Settlement. Funding is contingent upon the development of clearly measurable outcomes, including the development of longitudinal and comparative data. The specific reporting procedures, outcomes, and the details regarding the expenditures of funds shall be developed and approved by the Department of Education. The Department of Education shall work in conjunction with the Postsecondary Education Planning Commission and each of these institutions.

Senators Holzendorf, Thomas, Hargrett, Turner, Meadows and Jones offered the following substitute amendment which was moved by Senator Holzendorf and adopted:

Substitute Amendment 149—

In Section: 02 On Page: 048 Specific Appropriation: 173
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Educational And General Activities

In Section 02 On Page 048

173 Lump Sum
Educational And General Activities

Insert new proviso following Line Item 173 after the last paragraph of proviso on page 51.

From the funds in Specific Appropriation 173, \$1.4 million shall be allocated to FAMU and \$1,000,000 shall be allocated to each of the following: Bethune-Cookman College, Edward Waters College and Florida Memorial College for increasing access, retention and graduation of minority students. Funding is contingent upon the development of clearly measurable outcomes, including the development of longitudinal and comparative data. The specific reporting procedures, outcomes, and the details regarding the expenditures of funds shall be developed and approved by the Board of Regents and the Department of Education. The Department of Education shall work in conjunction with the Postsecondary Education Planning Commission and each of these institutions.

Senators Hargrett and Thomas offered the following amendment which was moved by Senator Hargrett:

Amendment 150—

In Section: 02 On Page: 052 Specific Appropriation: 174
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Educational And General Activities

174 In Section 02 On Page 052
Lump Sum
Institute Of Food And Agricultural
Sciences Operations

From General Revenue Fund 100,353,920 100,700,671

Board Of Regents General Office

191 In Section 02 On Page 054
Special Categories
Challenge Grants

From General Revenue Fund 3,965,146 3,618,395

Educational And General Activities

174 In Section 02 On Page 052
Lump Sum
Institute Of Food And Agricultural
Sciences Operations

On page 52, following Line Item 174, insert the following:

Specific Appropriation 174 includes funding for the following:

1) \$346,751 for the Tropical Aquaculture Lab at Ruskin and the Aquaculture Demonstration Farm at Blountstown.

Senators Hargrett and Thomas offered the following substitute amendment which was moved by Senator Hargrett and adopted:

Substitute Amendment 150—

In Section: 02 On Page: 052 Specific Appropriation: 174
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Educational And General Activities

174 In Section 02 On Page 052
Lump Sum
Institute Of Food And Agricultural
Sciences Operations

From General Revenue Fund 100,353,920 100,700,671

173 In Section 02 On Page 048
Lump Sum
Educational And General Activities

From General Revenue Fund 1,030,913,478 1,030,566,727

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Educational And General Activities

In Section 02 On Page 052

174 Lump Sum
Institute Of Food And Agricultural
Sciences Operations

On page 52, following Line Item 174, insert the following:

Specific Appropriation 174 includes funding for the following:

1) \$346,751 for the Tropical Aquaculture Lab at Ruskin and the Aquaculture Demonstration Farm at Blountstown.

Senators Holzendorf, Hargrett and Thomas offered the following amendment which was moved by Senator Holzendorf and adopted:

Amendment 151—

In Section: 02 On Page: 054 Specific Appropriation: 191
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Board Of Regents General Office

191 In Section 02 On Page 054
Special Categories
Challenge Grants

From General Revenue Fund 3,965,146 3,522,929

Educational And General Activities

173 In Section 02 On Page 048
Lump Sum
Educational And General Activities

From General Revenue Fund 1,030,913,478 1,031,355,695
From Education And General
Student And Other Fees 336,272,402 336,480,185
Trust Fund

On page 51, the 2nd full paragraph of proviso which lists issues funded:

Change the amount in #13 for the FAMU Program in Public Health from "100,000" to "750,000".

Amendment 152 was withdrawn.

Senators Diaz-Balart, Scott and Jenne offered the following amendment which was moved by Senator Diaz-Balart:

Amendment 153—

In Section: 02 On Page: 054 Specific Appropriation: 191
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Universities, Division Of
Board Of Regents General Office

191 In Section 02 On Page 054
Special Categories
Challenge Grants

From General Revenue Fund 3,965,146 2,465,146

195 In Section 02 On Page 055
Special Categories
Grants And Aids - First Accredited
Medical School

From General Revenue Fund 14,145,202 14,645,202

In Section 03 On Page 063

Following Line Item 195 on page 55:

233 Special Categories Hospital Inpatient Services

DELETE "\$28,290.40" and INSERT "\$29,290.40"

Educational And General Activities

In the second paragraph of the proviso following Specific Appropriation 233, DELETE the following:

"to children under 21" and on the next line "one Agency Area."

175 In Section 02 On Page 052 Lump Sum University Of South Florida Medical Center Operations

And INSERT the following:

"two Agency Areas."

From General Revenue Fund 39,905,450 40,405,450

Senators Silver and Bankhead offered the following substitute amendment which was moved by Senator Bankhead and adopted:

Substitute Amendment 154—

176 Lump Sum University Of Florida Health Center Operations

In Section: 03 On Page: 063 Specific Appropriation: 233 Delete Insert

From General Revenue Fund 82,950,819 83,450,819

Senators Diaz-Balart, Scott, Jenne, Gutman, Silver and Cowin offered the following substitute amendment which was moved by Senator Diaz-Balart and adopted:

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid Services

Substitute Amendment 153—

In Section 03 On Page 063

In Section: 02 On Page: 055 Specific Appropriation: 195 Delete Insert

233 Special Categories Hospital Inpatient Services

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION Universities, Division Of Board Of Regents General Office

In the second paragraph of the proviso following Specific Appropriation 233, DELETE the following:

"to children under 21" and on the next line "one Agency Area."

195 In Section 02 On Page 055 Special Categories Grants And Aids - First Accredited Medical School

And INSERT the following:

two Agency Areas. Either children only or adults only programs shall be operated at each site. No pilot shall serve both the adult and child populations. If the waiver is not approved for adults then both pilots shall serve children.

From General Revenue Fund 14,145,202 14,645,202

Following Line Item 195 on page 55:

Senators Myers and Hargrett offered the following amendment which was moved by Senator Myers and adopted:

DELETE "\$28,290.40" and INSERT "\$29,290.40"

Amendment 155—

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION Universities, Division Of Educational And General Activities

In Section: 03 On Page: 063 Specific Appropriation: 233 Delete Insert

175 In Section 02 On Page 052 Lump Sum University Of South Florida Medical Center Operations

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid Services

From General Revenue Fund 39,905,450 40,405,450

233 In Section 03 On Page 063 Special Categories Hospital Inpatient Services

176 Lump Sum University Of Florida Health Center Operations

From General Revenue Fund 123,547,659 123,156,829

From General Revenue Fund 82,950,819 83,450,819

At the end of existing proviso language, following Specific Appropriation 233, INSERT:

Senators Silver and Bankhead offered the following amendment which was moved by Senator Bankhead:

The funds in Specific Appropriation 233 represent a reduction of \$390,830 from General Revenue and \$490,410 from the Medical Care Trust Fund resulting from the implementation by the Agency for Health Care Administration of a Medicaid disease management initiative for persons with AIDS.

Amendment 154—

In Section: 03 On Page: 063 Specific Appropriation: 233 Delete Insert

From Medical Care Trust Fund 703,578,921 703,088,511

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid Services

248 In Section 03 On Page 066 Special Categories Physician Services

From General Revenue Fund	200,073,049	200,323,049
From Medical Care Trust Fund	251,179,470	251,429,470

At the end of existing proviso language, following Specific Appropriation 248, INSERT:

The funds in Specific Appropriation 248 represent an increase of \$250,000 from the General Revenue Fund and \$250,000 from the Medical Care Trust Fund resulting from increasing the number of Medicaid-covered maximum visits for Chiropractic Services from 18 to 24.

HEALTH, DEPARTMENT OF
Children's Medical Services

494 In Section 03 On Page 109
Special Categories
Sickle Cell Education And Screening

From General Revenue Fund	549,856	690,686
---------------------------	---------	---------

Insert proviso immediately following Specific Appropriation 494:

Of the funds in Specific Appropriation 494, \$140,830 is provided to contract with the Florida State Sickle Cell Foundation.

Amendments 156—160 were withdrawn.

Senator Sullivan moved the following technical amendment which was adopted:

Amendment 161—

In Section: 02 On Page: 026 Specific Appropriation: 105
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Public Schools, Division Of

In Section 02 On Page 026

105 Aid To Local Governments
Grants And Aids - Florida Educational
Finance Program

In the first line of the eighth full paragraph of proviso following Specific Appropriation 105 on page 30:

DELETE "The Department of Education" and INSERT "The Auditor General"

Senator Myers moved the following technical amendments which were adopted:

Amendment 162—

In Section: 03 On Page: 069 Specific Appropriation: 267
Delete Insert

BUSINESS AND PROFESSIONAL REGULATION,
DEPARTMENT OF AGENCY FOR HEALTH CARE ADMINISTRATION
Health Care Regulation

In Section 03 On Page 069

267 Lump Sum
Health Care Quality Improvement Program

DELETE all of proviso following Specific Appropriation 267.

INSERT the following after the title, HEALTH CARE REGULATION, which precedes Specific Appropriation 266:

From the funds provided in Specific Appropriations 266 through 271, the Health Care Quality Improvement Program will meet the following standards as required by the Government Performance and Accountability Act of 1994, to ensure that all Floridians have access to quality health care and services through the licensure and certification of facilities, and to consumer complaints about facilities, services and practitioners.

STATE REGULATION OF HEALTH CARE PRACTITIONERS
OUTCOMES:

Direct the agency to develop a means of measuring complainants', practitioners' and consumer inquirers' satisfaction with the agency's performance - incorporate outcome measures in FY 1998-1999 budget.

Percentage of Priority I practitioner investigations resulting in emergency actions.

Ratio of emergency actions that result in license revocation, license suspension, reprimand, probation with conditions, or administrative fines.

Average length of time to take emergency action on Priority I practitioner investigations.

Percentage of practitioner facility inspections that do not result in an investigation.

Percentage of investigations of alleged unlicensed practitioners that result in cease and desist orders.

Percentage of cease and desist orders issued to unlicensed practitioners in which another complaint of unlicensed activity is subsequently filed against the same practitioner.

Percentage of licensed practitioners involved in:

1. serious incidents
2. peer review discipline reports

Percentage of complaints not before the Division of Administrative Hearings or otherwise completed by the agency within 1 year after the filing of the complaint.

OUTPUTS:

Number of complaints closed administratively as not legally sufficient.

Number of complaints determined legally sufficient.

Number of legally sufficient complaints resolved by:

1. Findings of no probable cause, including:
 - a. Nolle prosequere
 - b. Letters of guidance
 - c. Notice of noncompliance
 - d. Issuance of citation for minor violations
2. Stipulations or informal hearings.
3. Formal hearings.

Number of complaint investigations completed by priority classification:

1. Priority I
2. Priority II
3. Other

Average amount of time (in days) to complete complaint investigations by priority classification:

1. Priority I
2. Priority II
3. Other

Number of emergency actions taken.

Average cost per practitioner complaint investigation.

Average number of practitioner complaint investigations per FTE.

Number of practitioner facility inspections completed.

Average number of mandated practitioner facility inspections per FTE.

Average work hours per practitioner facility inspection (excludes travel time).

Average cost per practitioner facility inspection.

Number of cease and desist orders issued.

Number of inquiries to the call center regarding practitioner licensure and disciplinary information.

STATE LICENSURE AND FEDERAL CERTIFICATION OF HEALTH CARE FACILITIES AND PROGRAMS

OUTCOMES:

Percentage of investigations of alleged unlicensed facilities and programs that result in cease and desist orders.

Percentage of cease and desist orders issued to unlicensed facilities and programs in which another complaint of unlicensed activity is subsequently filed against the same facility or program.

Percentage of positive interview responses from nursing home residents and families regarding satisfaction with care and services.

Direct the agency to develop a means of measuring consumers, facilities and programs satisfaction with the agency's performance - incorporate outcome measures in the FY 1998-1999 budget.

Percentage of cases referred to the Subscriber-Provider Assistance Panel that are resolved by the Panel.

Percentage of Class I consumer complaints about licensed facilities and programs that are investigated within 48 hours.

Percentage of health care facilities and programs that have been sent a written statement of deficiencies within 10 days of the completion of the on-site survey.

Percentage of accredited HMOs that have been cited by the agency for not complying with quality of care standards.

Percentage of accredited hospitals and ambulatory surgical centers that have been cited for not complying with lifesafety, licensure or emergency access standards.

Percentage of accreditation validation surveys that result in findings of licensure deficiencies.

Percentage of nursing homes and assisted living facilities in which deficiencies are found that pose a serious threat to the health, safety or welfare of the public.

Direct the agency to develop a similar measure for home health agencies, hospitals, clinical laboratories and ambulatory surgical centers - incorporate outcome measures in the FY 1998-1999 budget.

Percentage of hospital failures to report serious incidents and peer review disciplinary actions that are identified by the agency that result in sanctions against the hospital.

Percentage of field surveyors that have less than 1 year of surveying experience.

Percentage of Medicare/Medicaid certified facilities and programs that are not licensed by the state that the agency recommends be decertified.

OUTPUTS:

Number of facility emergency actions taken.

Average annual quality-of-care survey costs per survey.

Average amount of annual quality-of-care surveyor time per regulated facility.

Total number of full facility quality-of-care surveys conducted and by type:

1. nursing homes
2. home health agencies
3. assisted living facilities
4. laboratories
5. hospitals
6. other

Total number of follow-up facility quality-of-care surveys conducted and by type:

1. nursing homes
2. home health agencies
3. assisted living facilities
4. laboratories
5. hospitals
6. other

Total number of facility quality-of-care complaint investigations conducted, by type:

1. nursing homes
2. home health agencies
3. assisted living facilities
4. laboratories
5. hospitals
6. other

Number of cases processed by the Subscriber-Provider Assistance Panel.

Average processing time for Subscriber-Provider Assistance Panel case resolution.

Average processing time for initial facility license application.

Average annual cost to process licensure/certification applications per regulated facility.

Average annual combined cost of facility application processing and quality-of-care survey activity per facility.

Number of failures by hospitals to report serious incidents and peer review disciplinary actions that are identified by the agency.

Number of certification recommendations processed by the agency for Medicare/Medicaid certified facilities and programs that are not licensed by the state.

HEALTH FACILITY PLANS AND CONSTRUCTION REVIEW

OUTCOMES:

Percentage of facility construction plans reviewed in which defects were identified relating to the NFPA 101 Life Safety Code or physical plant requirements and engineering system codes and standards stated in 59A-3, 4, and 5, F.A.C.

Percentage of inspections which identified construction defects relating to engineering systems performance or physical plant requirements.

Percentage of plans and specifications submitted that are approved or disapproved within 60 days after receipt of the fee for review of plans.

OUTPUTS:

Number of plans and construction reviews performed by type:
1. nursing homes
2. hospitals
3. ambulatory surgical centers

Average number of hours for plans and construction survey and review:
1. nursing homes
2. hospitals
3. ambulatory surgical centers

Number of projects receiving approval after review of initial construction documents.

Number of construction projects receiving approval after an initial final survey.

Amendment 163—

In Section: 03 On Page: 099 Specific Appropriation: 421
Delete Insert

ELDER AFFAIRS, DEPARTMENT OF

421 In Section 03 On Page 099
Special Categories
Grants And Aids - Local Services
Programs

In the proviso following Specific Appropriation 421, DELETE:

\$300,000

In the proviso following Specific Appropriation 421, INSERT:

\$310,233

Amendment 164—

In Section: 03 On Page: 104 Specific Appropriation: 455
Delete Insert

HEALTH, DEPARTMENT OF
Health Services

455 In Section 03 On Page 104
Aid To Local Governments
Contribution To County Health Units

From General Revenue Fund 115,265,181 114,265,181

462 In Section 03 On Page 105
Aid To Local Governments
School Health Services

From General Revenue Fund 16,521,881 17,521,881

Senator Silver moved the following technical amendment which was adopted:

Amendment 165—

In Section: 04 On Page: 149 Specific Appropriation: 909A
Delete Insert

JUVENILE JUSTICE, DEPARTMENT OF
Assistant Secretary For Program Planning

909A In Section 04 On Page 149
Special Categories
Grants And Aids - Motor Vehicle Theft
Prevention

From Grants And Donations Trust Fund 5,100,000 6,300,000

District Operations

918 Special Categories
Grants And Aids - Contracted Services

From Grants And Donations Trust Fund 5,056,771 3,856,771

In Section 04 On Page 151

In Section 04 on page 151, in the first paragraph of proviso, DELETE the following:

and \$1,200,000 from Grants and Donations Trust funds may be used for non-recurring diversion programs statewide

Senator Harris moved the following amendment which was adopted:

Amendment 167—

In Section: 04 On Page: 149 Specific Appropriation: 918
Delete Insert

JUVENILE JUSTICE, DEPARTMENT OF
District Operations

In Section 04 On Page 149

918 Special Categories
Grants And Aids - Contracted Services

In the proviso following Specific Appropriation 918, on page 150, in the next to the last paragraph, after the words "Sarasota Juvenile Assessment Center", add a new sentence:

Operational funding for the Sarasota Juvenile Assessment Center shall go to the existing lead agency at the assessment center.

Senator Jenne moved the following amendment which was adopted:

Amendment 168—

In Section: 06 On Page: 295 Specific Appropriation: 1929A
Delete Insert

MANAGEMENT SERVICES, DEPARTMENT OF
Facilities Program

1929A In Section 06 On Page 295
Fixed Capital Outlay
Renovation Of Collins Building - New
Tenants - Dms Mgd

From Supervision Trust Fund 100,000

Senators Jenne, Dyer, Rossin, Kurth, Campbell, Holzendorf, Meadows, Silver, Forman and Klein offered the following amendment which was moved by Senator Jenne and adopted:

Amendment 170—

In Section: 01 On Page: 001 Specific Appropriation: 2
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Public Schools, Division Of

In Section 01 On Page 001

- 2 Aid To Local Governments
- Grants And Aids - District
- Discretionary Lottery Funds

Insert the following new proviso as the final paragraph of proviso following Specific Appropriation 2 on page 1:

Funds provided in Specific Appropriation 2 shall not be released to any school district until the Administration Commission has been satisfied by each school district that these funds will be used solely for enhancement purposes.

Senators Jenne, Sullivan and Horne offered the following amendment which was moved by Senator Sullivan and adopted:

Amendment 173—

In Section: 01 On Page: 001 Specific Appropriation: 2
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Public Schools, Division Of

In Section 01 On Page 001

- 2 Aid To Local Governments
- Grants And Aids - District
- Discretionary Lottery Funds

Delete the first full paragraph of proviso following Specific Appropriation 2 on page 2 and insert the following new proviso:

From the funds provided in Specific Appropriation 2, school boards must allocate at least \$20 per unweighted FTE student to be used at the discretion of the School Advisory Committee or, in the absence of such a committee, at the discretion of the staff and parents of the school. A portion of that money should be used for implementing the school improvement plan. The improvement plan shall be based on the needs of the students and shall be consistent with the statewide and district-wide school improvement plan.

Amendment 174 was withdrawn.

Senator Ostalkiewicz moved the following amendment which failed:

Amendment 176—

In Section: 03 On Page: 058 Specific Appropriation:
Delete Insert

In Section 03 on page 058, INSERT the following text immediately after the last paragraph and prior to the first Department title:

From the funds in Specific Appropriations 272 through 403 for the Department of Children and Families, 13,920 positions shall be eliminated and \$222.0 million shall be transferred to Specific Appropriation 37 for the Department of Education to establish a source to fund public school new construction projects.

From the funds in Specific Appropriations 426 through 511A for the Department of Health, 2,467 positions shall be eliminated and \$65.8 million shall be transferred to Specific Appropriation 37 for the Department of Education to establish a source to fund public school new construction projects.

ADMINISTERED FUNDS

- 1492 In Section 06 On Page 240
- Lump Sum
- Salary Increases

In Section 06 on page 240, INSERT the following:

From the funds in Specific Appropriation 1492, \$12.8 million currently provided for salary increases associated with the deleted positions in Section 3 shall be transferred to Specific Appropriation 37 for the Department of Education to establish a source to fund public school new construction projects.

Senators Myers and Brown-Waite offered the following amendment which was moved by Senator Myers and adopted:

Amendment 177—

In Section: 03 On Page: 071 Specific Appropriation: 267-
Delete Insert

BUSINESS AND PROFESSIONAL REGULATION,
DEPARTMENT OF AGENCY FOR HEALTH CARE ADMINISTRATION
Health Care Regulation

In Section 03 On Page 071

267- Lump Sum			
Practitioner Profile			
Positions	0	98.5	
From Health Care Trust Fund			7,037,605

Amendment 178 was withdrawn.

Senator Rossin moved the following amendment which was adopted:

Amendment 183—

In Section: 02 On Page: 036 Specific Appropriation: 125
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Public Schools, Division Of

In Section 02 On Page 036

125 Special Categories			
Grants And Aids - Public Broadcasting			
From General Revenue Fund	8,891,702	8,791,702	

Universities, Division Of
Educational And General Activities

In Section 02 On Page 048

173 Lump Sum			
Educational And General Activities			
From General Revenue Fund	1,030,913,478	1,031,013,478	

In Section 02 On Page 051

In Section on page 051 following the second paragraph which lists issues funded, INSERT the following:

- 17) \$100,000 for WXEL.

Senator Bankhead moved the following amendments which were adopted:

Amendment 187—

In Section: 03 On Page: 087 Specific Appropriation: 350B
Delete Insert

CHILDREN AND FAMILIES, DEPARTMENT OF
District Services
Children And Family Services

In Section 03 On Page 087

- 350B Special Categories
- Child Care - Working Poor And At-Risk Families

INSERT proviso language immediately following existing proviso following Specific Appropriation 350B, Special Categories Child Care - Working Poor and At-Risk Families:

In addition to the eight percent match required from local sources by this proviso, the sum of \$4 million appropriated in Specific Appropriation 350B shall be matched, dollar by dollar, by an equal amount of \$4 million from local funds for the provision of child care slots for working poor and at-risk families.

Amendment 189—

In Section: 03 On Page: 087 Specific Appropriation: 350A Delete

Insert

CHILDREN AND FAMILIES, DEPARTMENT OF District Services Children And Family Services

In Section 03 On Page 087

350A Special Categories Child Care - Wages

INSERT proviso language following Specific Appropriation 350A, Special Categories, Child Care - WAGES:

The sum of \$4 million appropriated in Specific Appropriation 350A shall be matched, dollar for dollar, by an equal amount of \$4 million from local funds for the provision of child care for WAGES participants

Senator Forman moved the following amendment which was adopted:

Amendment 190—

In Section: 03 On Page: 063 Specific Appropriation: 233 Delete

Insert

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid Services

In Section 03 On Page 063 Special Categories Hospital Inpatient Services

233

From General Revenue Fund 123,547,659 123,214,822

CHILDREN AND FAMILIES, DEPARTMENT OF District Services Alcohol, Drug Abuse And Mental Health Services

In Section 03 On Page 082

329 Special Categories Grants And Aids - Children's Mental Health Services

From General Revenue Fund 16,260,824 16,286,824

Following Specific Appropriation 339, INSERT:

Of the funds in Specific Appropriation 339, \$56,837 from general revenue is provided for Parent Education/Parent Support (PEPS), a child abuse prevention program in Broward County.

HEALTH, DEPARTMENT OF Program Planning, Support And Regulation

In Section 03 On Page 100

428 Expenses

From General Revenue Fund 2,120,942 2,270,942

At the end of existing proviso language, following Specific Appropriation 485D, INSERT:

Of the funds in Specific Appropriation 485D, \$25,000 shall be used for equipment for Health Choice Network and \$25,000 for a medivan for Elderly Interest Fund of Broward County.

In Section 03 On Page 060

216 Expenses

From General Revenue Fund 10,773,427 10,823,427

At the end of existing proviso language, following Specific Appropriation 216, INSERT:

Of the funds in Specific Appropriation 216, \$50,000 shall be used to fund a Medicaid work group contingent upon SB 2214 or similar legislation authorizing such a group becoming law.

From Medical Care Trust Fund 703,578,921 703,161,278

HEALTH, DEPARTMENT OF Health Services

In Section 03 On Page 108

485D Fixed Capital Outlay Design, Construction, Renovation And Equipment - Health Care Facilities - Local

From General Revenue Fund 7,525,000 7,575,000

In Section 03 on page 63, INSERT proviso following existing proviso after Specific Appropriation 233:

The funds in Specific Appropriation 233 represent a reduction of \$332,837 from General Revenue and \$417,643 from the Medical Care Trust Fund resulting from the implementation by the Agency for Health Care Administration of a disease management initiative for hemophilia.

HEALTH, DEPARTMENT OF Program Planning, Support And Regulation

In Section 03 On Page 100

428 Expenses

In Section 03 on page 100 following Specific Appropriation 428, INSERT the following:

Of the funds in Specific Appropriation 428, \$150,000 of general revenue is provided to develop and implement a Healthy Communities Healthy People communication campaign.

Children And Family Services

In Section 03 On Page 085

339 Special Categories Grants And Aids - Child Abuse Program

From General Revenue Fund 2,442,374 2,499,211

Following Specific Appropriation 329, INSERT:

Of the funds in Specific Appropriation 329, \$26,000 is provided to fund I'm Thumbody, a children's mental health prevention program of Broward County.

Senator Latvala moved the following amendment which was adopted:

Amendment 191—

In Section: 03 On Page: 099 Specific Appropriation: 425B Delete

Insert

ELDER AFFAIRS, DEPARTMENT OF

In Section 03 On Page 099
425B Grants And Aids To Local Governments
And Nonprofit Organizations
Adult Day Care

From General Revenue Fund 375,000

Funds in Specific Appropriation 425B are provided for an Adult Day Care Program in Palm Harbor.

HEALTH, DEPARTMENT OF
Health Services

In Section 03 On Page 108
485A Fixed Capital Outlay
Construction, Renovation And Repairs -
State Tuberculosis Hospital

From General Revenue Fund 8,000,000 7,625,000

RECONSIDERATION OF AMENDMENT

On motion by Senator Brown-Waite, the Senate reconsidered the vote by which Amendment 191 was adopted.

Senators Latvala and Brown-Waite offered the following substitute amendment which was moved by Senator Brown-Waite and adopted:

Substitute Amendment 191—

In Section: 03 On Page: 099 Specific Appropriation: 425B Delete

Insert

ELDER AFFAIRS, DEPARTMENT OF

In Section 03 On Page 099
425B Grants And Aids To Local Governments
And Nonprofit Organizations
Adult Day Care

From General Revenue Fund 375,000

Funds in Specific Appropriation 425B are provided for an Adult Day Care Program in Palm Harbor and the Pasco County Center in Zephyrhills.

HEALTH, DEPARTMENT OF
Health Services

In Section 03 On Page 108
485A Fixed Capital Outlay
Construction, Renovation And Repairs -
State Tuberculosis Hospital

From General Revenue Fund 8,000,000 7,625,000

Senator Kirkpatrick moved the following amendment:

Amendment 192—

In Section: 02 On Page: 026 Specific Appropriation: 103A Delete

Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Public Schools, Division Of

In Section 02 On Page 026

103A Aid To Local Governments
Grants And Aids - Special Emphasis
Program

Add the following new proviso at the end of the second paragraph of proviso following Specific Appropriation 103A on page 26:

School districts may use as much as ten percent of their allocation of funds provided in Specific Appropriation 103A to address the "Year 2000" computer date problem.

Senator Dudley moved the following amendment to Amendment 192 which was adopted:

Amendment 192A—

In Section: 02 On Page: 026 Specific Appropriation: 103A Delete

Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Public Schools, Division Of

In Section 02 On Page 026

103A Aid To Local Governments
Grants And Aids - Special Emphasis
Program

Add the following new proviso at the end of the second paragraph of proviso following Specific Appropriation 103A on page 26:

School districts may use as much of their allocation of funds provided in Specific Appropriation 103A to address the "Year 2000" computer date problem as may be approved by DOE.

Amendment 192 as amended was adopted.

THE PRESIDENT PRESIDING

MOTIONS

On motion by Senator Sullivan, the rules were waived and staff of the Committee on Ways and Means was instructed to make title amendments and technical changes in SB 2400 as necessary.

On motion by Senator Sullivan, by two-thirds vote SB 2400 as amended was read the third time by title and ordered engrossed.

On motion by Senator Sullivan, the vote on final passage on SB 2400 was postponed until Monday, April 14, pursuant to Joint Rule 2.1 and Senate Rule 4.15, relating to the constitutional requirement for a 72-hour public review period on general appropriations bills.

RECESS

On motion by Senator Bankhead, the Senate recessed at 2:06 p.m. to reconvene at 2:35 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:52 p.m. A quorum present—40:

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

SPECIAL ORDER CALENDAR, continued

On motion by Senator Sullivan—

SB 2402—A bill to be entitled An act relating to implementing the fiscal year 1997-1998 General Appropriations Act; providing legislative intent; 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 1997-1998 for qualifying hospitals; amending s. 409.9116, F.S.; altering the formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services 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; amending s. 236.081, F.S., relating to the Florida Education Financing Program; authorizing funds to keep the district required local effort at a specified percentage of the district's total calculation; amending s. 240.605, F.S.; providing for funding of the Florida resident access grant in an amount specified in the General Appropriations Act; 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; authorizing use of the Citrus Advertising Trust Fund; amending s. 253.783, F.S.; authorizing use of general revenue funds for repayment to Duval County; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing severability; providing an effective date.

—was read the second time by title.

Senator Myers offered the following amendment which was moved by Senator Sullivan and adopted:

Amendment 1 (with title amendment)—On page 6, between lines 10 and 11, insert:

Section 5. *For the purpose of implementing Specific Appropriations Items 214 through 265 of the 1997-1998 General Appropriations Act, the Agency for Health Care Administration will not capitate health maintenance organizations for the behavioral health care of adults who have a serious mental illness or substance abuse diagnosis or children with a serious emotional disturbance. The Agency for Health Care Administration will complete an evaluation of the delivery of behavioral health care in the District 6 and 14 pilot program by January 31, 1998, and will as part of that evaluation determine and compare the administrative and direct service expenditures associated with the different contracting and payment methodologies used in the pilot area.*

(Renumber subsequent sections.)

And the title is amended as follows:

On page 1, line 15, after the semicolon (;) insert: prohibiting the Agency for Health Care Administration from capitating health maintenance organizations for a specified period of time;

Senator Klein moved the following amendment which was adopted:

Amendment 2 (with title amendment)—On page 6, lines 11-22, delete all of those lines and insert:

Section 5. In order to implement Specific Appropriations 272 through 403 and 426 through 511A of the 1997-1998 General Appropriations Act, paragraph (c) of subsection (14) of section 216.181, Florida Statutes, 1996 Supplement, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(14)

(c) For the 1997-1998 ~~1996-1997~~ fiscal year only, funds appropriated to the Department of ~~Children and Family Health and Rehabilitative Services~~ in Specific Appropriations ~~272 304~~ through ~~403 519~~ and the ~~Department of Health in Specific Appropriations 426 through 511A~~ of the ~~1997-1998 1996-1997~~ General

And the title is amended as follows:

On page 1, line 17, after "Services" insert: and the Department of Health

Senator McKay moved the following amendment which was adopted:

Amendment 3 (with title amendment)—On page 7, between lines 5 and 6, insert:

Section 7. *The Departments of Children and Families and Juvenile Justice shall undertake a study to determine the applicability of utilizing local funds as state match for eligible Title IV-E and Medicaid clients. This study shall consider the effect these local funds would have on the departments' ability to expand existing programs. Program expansion information shall include projected local fund totals, their specific effect on program component funding and expanded service categories. The departments, in conjunction with the Agency for Health Care Administration, shall request any waivers needed to implement these programs during fiscal year 1998-1999. A report on their efforts will be submitted by the involved agencies on their findings no later than January 1, 1998 to the Senate President, the Speaker of the House of Representatives and the Governor.*

(Renumber subsequent sections.)

And the title is amended as follows:

On page 1, line 22, after the semicolon (;) insert: directing the Departments of Children and Families and Juvenile Justice to conduct a study of certain funds as a state match for specified funds;

Senator Forman moved the following amendment which was adopted:

Amendment 4 (with title amendment)—On page 7, between lines 5 and 6, insert:

Section 7. *For the purpose of implementing Specific Appropriations 272 through 403, Specific Appropriations 426 through 511A, and Specific Appropriations 898 through 936, the Department of Children and Family Services, the Department of Health, and the Department of Juvenile Justice shall collaboratively study and develop recommendations for a district budget flexibility initiative. This study must include participation by the Florida League of Cities, the Florida Association of Counties, staff of the Executive Office of the Governor, legislative staff, and other interested parties. The study must, at a minimum, address the following issues:*

(1) *Allocation methodology to be used to distribute appropriations to the district and county level.*

(2) *Methodology and the process for interdistrict and intercounty reallocation of resources.*

(3) *Performance-based measures that will be used to monitor the success of such an initiative.*

(4) *Selection process and criteria for application of the initiative.*

(5) *Criteria for the local management team or organizational entity.*

(6) *Performance and financial reporting requirements.*

(7) *Legislative or executive oversight responsibilities.*

(8) *Applicability of chapter 216, Florida Statutes, to the initiative.*

(9) *Timeframes within which the initiative should operate.*

The results of this study shall be completed by December 1, 1997, and shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by that date.

(Renumber subsequent sections.)

And the title is amended as follows:

On page 1, line 22, after the semicolon (;) insert: requiring the Department of Children and Family Services, the Department of Health, and the Department of Juvenile Justice to use specified appropriations to conduct a study and develop recommendations for a district budget flexibility initiative; providing requirements for the study; requiring a report to the Governor and the Legislature;

Senator Burt moved the following amendment which was adopted:

Amendment 5 (with title amendment)—On page 7, between lines 5 and 6, insert:

Section 7. *For the purpose of implementing Specific Appropriation 552 of the 1997-1998 General Appropriations Act, the Correctional Privatization Commission and the Department of Juvenile Justice may expend appropriated funds to assist in defraying impact costs that are incurred by a municipality or county and are associated with the opening and operating of a facility under the authority of the Correctional Privatization Commission or a facility operated under the authority of the Department of Juvenile Justice as a privatized facility located within that municipality or county. The amount paid under this section for any facility may not exceed 1 percent of the facility construction cost, less building impact fees imposed by the municipality, or imposed by the county if the facility is located in the unincorporated portion of the county. This section is repealed on July 1, 1998.*

(Renumber subsequent sections.)

And the title is amended as follows:

On page 1, line 22, after the semicolon (;) insert: authorizing the Correctional Privatization Commission and the Department of Juvenile Justice to expend appropriated funds to defray impact costs of municipalities and counties associated with opening and operating a facility;

MOTIONS

On motion by Senator Sullivan, the rules were waived and staff of the Committee on Ways and Means was instructed to make title amendments and technical changes in **SB 2402** as necessary.

On motion by Senator Sullivan, by two-thirds vote **SB 2402** as amended was read the third time by title and ordered engrossed.

On motion by Senator Sullivan, the vote on final passage on **SB 2402** was postponed until Monday, April 14, pursuant to Joint Rule 2.1 and Senate Rule 4.15, relating to the constitutional requirement for a 72-hour public review period on general appropriations bills.

On motion by Senator Horne—

CS for SB 1546—A bill to be entitled An act relating to public school financial reporting; amending s. 236.685, F.S., the Education Funding Accountability Act; requiring annual school financial reports; specifying reporting requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1546** was placed on the calendar of Bills on Third Reading.

On motion by Senator Cowin—

CS for SB 1376—A bill to be entitled An act relating to education; amending s. 230.03, F.S.; conforming a cross-reference; repealing s. 230.105(9), F.S., relating to ballot proposition wording for single-member representation for district school boards; amending s. 230.22, F.S.; revising provisions relating to general powers of school boards; amending s. 230.23, F.S.; revising provisions relating to powers and duties of school boards; amending s. 230.2301, F.S.; revising provisions relating to parent meetings with school district personnel; amending s. 230.2303, F.S.; revising provisions relating to the Florida First Start Program; deleting provisions relating to evaluation, monitoring, and coordination; amending s. 230.2305, F.S.; revising provisions relating to the prekindergarten early intervention program; deleting provisions relating to plans, plan approval, monitoring, and annual reports; repealing s. 230.23135, F.S., relating to the Florida Council on Student Services; amending s. 230.2316, F.S.; revising provisions relating to dropout prevention; deleting definitions, certain program criteria, and provisions requiring program plans and staff development; amending s. 230.23161, F.S.; conforming a cross-reference; amending s. 230.2317, F.S.; revising provisions relating to a multiagency service network for students with severe emotional disturbance; amending s. 230.2318, F.S.; authorizing school resource officer programs; deleting program plan requirements; repealing s. 230.23185, F.S., relating to a statewide crime watch program; amending s. 230.303, F.S., relating to compensation for school superintendents; deleting obsolete language; amending s. 230.33, F.S.; revising provisions relating to duties and responsibilities of superintendents; amending s. 230.331, F.S., relating to reproduction and destruction of district school records; amending s. 230.35, F.S., relating to schools under the control of the school board and superintendent; repealing ss. 230.59, 230.643, 230.655, and 230.71, F.S., relating to educational

communications systems, transcripts for vocational-technical center students, education programs in correctional facilities, and intergenerational school volunteer programs; amending s. 232.01, F.S., and repealing ss. 232.04 and 232.045, F.S.; combining provisions relating to school attendance requirements; amending s. 232.021, F.S.; conforming provisions; amending s. 232.0225, F.S.; revising provisions relating to absence for religious instruction or holidays; repealing s. 232.023, F.S., relating to falsification of attendance records; amending s. 232.03, F.S.; conforming cross-references; repealing s. 232.032(2) and 232.034, F.S., relating to an investigation of tuberculosis incidence and a medical exemption for transporting students; amending s. 232.06, F.S.; revising provisions relating to school attendance certificates of exemption; amending s. 232.09, F.S.; conforming a cross-reference; repealing ss. 232.10, 232.13, and 232.165, F.S., relating to explanation of student absence, reports of exceptional children, and nonissuance or suspension of driver's license based on student enrollment; amending s. 232.17, F.S.; revising provisions relating to enforcement of school attendance; deleting reference to attendance assistants; amending s. 232.19, F.S.; conforming provisions; repealing ss. 232.245(2) and (3) and 232.2452, F.S., relating to requirements for school district programs for pupil progression and report cards; repealing s. 232.2461, F.S., relating to model curriculum standards; amending s. 232.2462, F.S.; deleting attendance requirements for receipt of high school credit; amending s. 232.2465, F.S.; revising a requirement for qualification as a Florida Academic Scholar; repealing s. 232.2468, F.S., relating to graduation, habitual truancy, and dropout rates; amending s. 228.041, F.S.; defining the terms "graduation rate," "habitual truancy rate," and "dropout rate"; repealing ss. 232.257 and 232.258, F.S., relating to the School Safety Program and school and community resource grants; amending s. 232.271, F.S.; conforming provisions; repealing ss. 232.276, 232.3015, 232.303, and 232.304, F.S., relating to parenting workshops, outreach programs, interagency student services, and multiagency coordinating councils; amending s. 232.425, F.S., relating to student standards for participation in interscholastic extracurricular student activities; defining the term "extracurricular"; providing for the accessibility of such activities to home education students; repealing s. 233.011, F.S., relating to accountability in curriculum, instructional materials, and testing; amending s. 233.061, F.S.; revising provisions relating to required instruction; creating s. 233.0612, F.S.; providing authorized instruction; repealing ss. 233.0615, 233.06411, 233.0645, 233.065, 233.0661, 233.0662, 233.0663(2), (3), (4), (5), (6), and (7), 233.067, 233.0671, 233.0672, and 233.068(3) and (4), F.S., relating to a character development and law education program, a free enterprise and consumer education program, voting instruction, patriotic programs, certain requirements of the drug abuse and resistance education program, comprehensive health education and substance abuse prevention, courses of study in the care of nursing home patients, instruction in acquired immune deficiency syndrome, and planning and implementation of a career development and applied technology program; amending s. 233.07, F.S.; deleting obsolete language; renumbering s. 234.041, F.S., relating to school buses; repealing s. 234.0515, F.S., relating to transportation of students by private transportation companies; repealing ss. 234.061 and 234.091, F.S., relating to designation of routes and school bus driver qualifications, to conform; amending and renumbering s. 234.302, F.S., relating to school crossing guards; amending ss. 24.121, 39.01, 228.053, 228.061, 228.121, 229.0535, 229.565, 229.58, 229.592, 229.594, 229.8055, 231.085, 231.095, 231.1725, 231.381, 236.013, 236.081, 236.0811, 236.0812, 236.1228, 239.101, 239.229, 397.405, 402.22, 415.5015, 450.121, 493.6102, and 561.025, F.S.; conforming cross-references and conforming provisions; repealing s. 236.0842, F.S., relating to approval for dropout prevention programs, to conform; providing an effective date.

—was read the second time by title.

Senator Cowin moved the following amendments which were adopted:

Amendment 1—On page 53, line 1 through page 58, line 8, delete those lines and insert:

~~(5) PLAN APPROVAL.—To be considered for approval, each plan, or amendment to a plan, must be prepared according to instructions issued by the Commissioner of Education and must include, without limitation:~~

~~(c)(a) A description of the program curriculum and assurances that the program curriculum *must* will be developmentally appropriate according to current nationally recognized recommendations for high-quality prekindergarten programs.~~

~~(b) The estimated number of children who will participate in the program based upon a needs assessment that considers existing services and unmet needs.~~

(c) ~~The projected percentage of children who will participate in the program and who are economically disadvantaged.~~

(d) ~~The criteria used by the district to establish a sliding fee scale for participants who are not economically disadvantaged, and a description of the sliding scale.~~

(e) ~~A description of the program's administrative and supervisory structure.~~

(d)(f) ~~The ratio of direct instructional staff to children. The ratio must be 1 adult to 10 children, or a lower ratio. Upon written request from a school district, the commissioner may grant permission for a ratio of up to 1 adult to 15 children for individual schools or centers for which a 1-to-10 ratio would not be feasible.~~

(e)(g) ~~Information on the training and qualifications of program staff, including an assurance that All staff must meet will have met the following minimum requirements:~~

1. The minimum level of training is to be the completion of a 30-clock-hour training course planned jointly by the Department of Education and the Department of Health and Rehabilitative Services to include the following areas: state and local rules that govern child care, health, safety, and nutrition; identification and report of child abuse and neglect; child growth and development; use of developmentally appropriate early childhood curricula; and avoidance of income-based, race-based, and gender-based stereotyping.

2. When individual classrooms are staffed by certified teachers, those teachers must be certified for the appropriate grade levels under s. 231.17 and State Board of Education rules. Teachers who are not certified for the appropriate grade levels must obtain proper certification within 2 years. However, the commissioner may make an exception on an individual basis when the requirements are not met because of serious illness, injury, or other extraordinary, extenuating circumstance.

3. When individual classrooms are staffed by noncertified teachers, there must be a program director or lead teacher who is eligible for certification or certified for the appropriate grade levels pursuant to s. 231.17 and State Board of Education rules in regularly scheduled direct contact with each classroom. Notwithstanding s. 231.15, such classrooms must be staffed by at least one person who has, at a minimum, a child development associate credential (CDA) or an amount of training determined by the commissioner to be equivalent to or to exceed the minimum, such as an associate in science degree in the area of early childhood education.

4. Beginning October 1, 1994, principals and other school district administrative and supervisory personnel with direct responsibility for the program must demonstrate knowledge of prekindergarten education programs that increase children's chances of achieving future educational success and becoming productive members of society in a manner established by the State Board of Education by rule.

5. ~~To be eligible for state funding, all program plans must include a requirement that All personnel who are not certified under s. 231.17 must comply with screening requirements under ss. 231.02 and 231.1713.~~

(h) ~~A description of proposed staff development activities, including arrangements for staff access to training in child growth and development and developmentally appropriate early childhood curriculum and integration with district master inservice plans required under s. 236.0811.~~

(i) ~~A description of the number and location of all program sites and how each site is considered easily accessible to the population to be served and to coordinated services.~~

(j) ~~A description of the arrangements for transporting children to and from the program sites and their homes, if appropriate.~~

(f)(k) ~~A requirement that Student participation must be contingent upon parental involvement, and a description of The parental involvement activities integral to the program, which must include program site-based parental activities designed to fully involve parents in the program and which may include parenting education, home visitor activities, family support services coordination, and other activities.~~

(l) ~~A description of the interagency coordinating council and efforts made to coordinate and maximize use of existing funds and community~~

facilities, equipment, medical, educational, and social services, including coordination with adult literacy and vocational programs.

(g)(m) ~~Identification of the days and hours when Services are to be provided during, including a school day and school year equal to or exceeding the requirements for kindergarten under ss. 228.041 and 236.013, and Strategies to provide care before school, after school, and 12 months a year, when needed. The strategies specified by this paragraph must be developed by the school district in cooperation with the central agency for state-subsidized child care or the local service district of the Department of Health and Rehabilitative Services and must be approved by the district interagency coordinating council established under subsection (14). Programs may be provided on Saturdays and through other innovative scheduling arrangements.~~

(n) ~~A description of the developmental and health screening and referral services to be provided each child in the program and assurances that needed developmental and health services will be provided through interagency coordination to the extent possible.~~

(o) ~~A written description of the role of the program in the school district's effort to meet the first state education goal, readiness to start school, including a description of the plan to involve nonpublic schools, public and private providers of day care and early education, and other community agencies that provide services to young children. This may include private child care programs, subsidized child care programs, and Head Start programs. The written description of the plan to involve the groups listed above must be submitted annually.~~

(p) ~~A description of how the program will be coordinated with the district program for grades K through 3 and with district preschool programs for children with disabilities and migrant children, the teen parent program, and Chapter I programs.~~

(q) ~~A tentative budget.~~

(h)(r) ~~Parents must be provided an Strategies to allow for parental option regarding a child's participation at a school-based site or among contracted sites, when such an option is appropriate and within the school district. The school district may consider availability of sites, transportation, staffing ratios, costs, and other factors in determining the assignment and setting district guidelines. Parents may request and be assigned a site other than one first assigned by the district, provided the parents pay the cost of transporting the child to the site of the parents' choice.~~

(i)(s) ~~The Strategies for school district must coordinate coordination with the central agency for state-subsidized child care or the local service district of the Department of Health and Rehabilitative Services to verify family participation in the WAGES Program, thus ensuring accurate reporting and full utilization of federal funds available through the Family Support Act, and for the agency's or service district's sharing of the waiting list for state-subsidized child care under paragraph (3)(a).~~

(6) ~~PLAN APPROVAL. The Commissioner of Education has the final authority to approve or disapprove plans and amended plans.~~

(4)(7) ~~EVALUATION. Each school district shall conduct an evaluation of the effectiveness of the prekindergarten early intervention program. This evaluation shall include measures of the following:~~

(a) ~~The children's achievement as measured by assessments upon entry into the program and upon completion of the program; and~~

(b) ~~The children's readiness for kindergarten as measured by the instrument the district uses to assess the school readiness of all children entering kindergarten. The results of this evaluation must be maintained by the school district and made available to the public upon request.~~

Amendment 2—On page 65, lines 15-21, delete those lines and insert: *assign students to a program for disruptive students.* The minimum period of time during which the student participates in the program shall be equivalent to two instructional periods per day unless the program utilizes a student support and assistance component rather than regularly scheduled courses.

(b)2: *Students in grades 4-12 shall be eligible for drop-out prevention programs. Eligible dropout prevention students shall be*

Amendment 3—On page 81, line 30, after the comma (,) insert: *or in accordance with s. 230.23175,*

Senator Lee moved the following amendment which was adopted:

Amendment 4 (with title amendment)—On page 121, line 28 through page 124, line 26, delete those lines and insert:

Section 39. Subsection (4) of section 232.425, Florida Statutes, 1996 Supplement, is amended to read:

232.425 Student standards for participation in interscholastic extracurricular student activities; regulation.—

(4) The student standards for participation in interscholastic extracurricular activities ~~shall~~ be applied beginning with the student's first semester of the 9th grade. Each student must meet such other requirements for participation as may be established by the school district; *however, a school district may not establish requirements for participation in interscholastic extracurricular activities which make participation in such activities less accessible to home education students than to other students. Evaluation processes or requirements that are placed on home education student participants may not go beyond those that apply under s. 232.02 to home education students generally. A home education student must be permitted access to any curricular activity, class, or program that is a prerequisite or corequisite of an interscholastic extracurricular activity for which the student has registered under subparagraph (3)(c)5.*

(Renumber subsequent sections.)

And the title is amended as follows:

On page 4, lines 9 and 10, delete those lines and insert: extracurricular student activities; providing for the

MOTION TO RECONSIDER AMENDMENT

Senator Rossin moved that the Senate reconsider the vote by which **Amendment 4** was adopted. The motion failed.

Senator Grant moved the following amendment which was adopted:

Amendment 5—On page 21, lines 23-31, delete those lines and insert: nominations of persons to fill such positions. The school board may reject for good cause any employee nominated. If the third nomination by the superintendent for any position is rejected for good cause, if the superintendent fails to submit a nomination for initial employment within a reasonable time as prescribed by the school board, or if the superintendent fails to submit a nomination for reemployment within the time prescribed by law, the school board may proceed on its own motion to fill such position.

SENATOR CHILDERS PRESIDING

THE PRESIDENT PRESIDING

Senator Hargrett moved the following amendment which was adopted:

Amendment 6 (with title amendment)—On page 84, lines 28-30, delete those lines and renumber subsequent sections.

And the title is amended as follows:

On page 2, lines 4 and 5, delete those lines and insert: amending s.

Pursuant to Rule 4.19, **CS for SB 1376** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Jenne—

CS for SB 1992—A bill to be entitled An act relating to education; amending s. 24.121, F.S.; prescribing guidelines for expenditure of lottery funds allocated to public schools; amending s. 229.58, F.S.; revising provisions relating to the establishment of school advisory councils; providing an effective date.

—was read the second time by title.

Senator Jenne moved the following amendment:

Amendment 1—On page 3, lines 7-9, delete those lines and insert: *The school board shall establish procedures for use by schools in*

selecting business and community members. Such procedures shall include means of insuring wide notice of vacancies and for taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The school board shall review the membership

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

Amendment 1A—On page 1, line 22, after the period (.) insert: ~~Business and other community members shall be selected by the school according to a procedure established by the school board.~~

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 1992** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala, by two-thirds vote **CS for HB 197** was withdrawn from the Committees on Education; and Ways and Means.

On motion by Senator Latvala—

CS for HB 197—A bill to be entitled An act relating to education; creating s. 232.2451, F.S., relating to student readiness for postsecondary education and the workplace; providing legislative intent; providing for end-of-high-school destinations; providing for student progression toward a chosen destination; providing Department of Education duties; providing course requirements; providing duties of school principals; amending s. 232.2462, F.S.; revising provisions relating to definition of high school credit; providing an effective date.

—a companion measure, was substituted for **CS for SB 178** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 197** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 398** was deferred.

On motion by Senator Meadows—

CS for SB 586—A bill to be entitled An act relating to education; amending s. 39.01, F.S.; revising provisions regarding habitual truancy; amending s. 228.041, F.S.; revising the definitions of the terms "habitual truant" and "dropout"; amending s. 232.01, F.S.; revising compulsory school attendance requirements to require children over the age of 16 to file a formal declaration of intent to terminate school enrollment in order to be exempt from compulsory school attendance requirements; amending s. 232.17, F.S.; revising procedures relating to habitual truancy; amending s. 232.19, F.S.; revising procedures relating to habitual truancy; 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. Subsections (12) and (73) of section 39.01, Florida Statutes, 1996 Supplement, are amended to read:

39.01 Definitions.—When used in this chapter:

(12) "Child in need of services" means a child for whom there is no pending investigation into an allegation or suspicion of abuse, neglect, or abandonment; no pending referral alleging the child is delinquent; or no current supervision by the Department of Juvenile Justice or the Department of Health and Rehabilitative Services for an adjudication of dependency or delinquency. The child must also, pursuant to this chapter, be found by the court:

(a) To have persistently run away from the child's parents or legal custodians despite reasonable efforts of the child, the parents or legal custodians, and appropriate agencies to remedy the conditions contributing to the behavior. Reasonable efforts shall include voluntary participation by the child's parents or legal custodians and the child in family

mediation, services, and treatment offered by the Department of Juvenile Justice or the Department of Health and Rehabilitative Services;

(b) To be habitually truant from school, while subject to compulsory school attendance, despite reasonable efforts to remedy the situation pursuant to *ss. 232.17 and 232.19*—~~232.19~~ and through voluntary participation by the child's parents or legal custodians and by the child in family mediation, services, and treatment offered by the Department of Juvenile Justice or the Department of Health and Rehabilitative Services; or

(c) To have persistently disobeyed the reasonable and lawful demands of the child's parents or legal custodians, and to be beyond their control despite efforts by the child's parents or legal custodians and appropriate agencies to remedy the conditions contributing to the behavior. Reasonable efforts may include such things as good faith participation in family or individual counseling.

The State Attorney may file a child-in-need-of-services petition after referring a child who is subject to compulsory school attendance and who either has 15 unexcused absences within 90 school days or fails to enroll in school to the appropriate agency for evaluation and after consulting with that agency.

(73) "To be habitually truant" means that:

(a) The child has 15 unexcused absences within 90 *school* days with or without the knowledge or justifiable consent of the child's parent or legal guardian, *is subject to compulsory school attendance under s. 233.01*, and is not exempt ~~under from attendance by virtue of being over the age of compulsory school attendance or by meeting the criteria in s. 232.06, s. 232.09, or any other exemptions specified by law or the rules of the State Board of Education;~~

(b) ~~In addition to the actions described in s. 232.17, the school administration has completed the following Escalating activities to determine the cause, and to attempt the remediation, of the child's truant behavior under ss. 232.17 and 232.19 have been completed.:~~

1. ~~After a minimum of 3 and prior to 15 unexcused absences within 90 days, one or more meetings have been held, either in person or by phone, between a school attendance assistant or school social worker, the child's parent or guardian, and the child, if necessary, to report and to attempt to solve the truancy problem. However, if the school attendance assistant or school social worker has documented the refusal of the parent or guardian to participate in the meetings, then this requirement has been met;~~

2. ~~Educational counseling has been provided to determine whether curriculum changes would help solve the truancy problem, and, if any changes were indicated, such changes were instituted but proved unsuccessful in remedying the truant behavior. Such curriculum changes may include enrollment of the child in an alternative education program that meets the specific educational and behavioral needs of the child, including a second chance school, as provided for in s. 230.2316, designed to resolve truant behavior;~~

3. ~~Educational evaluation, pursuant to the requirements of s. 232.19(3)(b)3., has been provided; and~~

4. ~~The school social worker, the attendance assistant, or the school superintendent's designee if there is no school social worker or attendance assistant has referred the student and family to the children-in-need-of-services and families-in-need-of-services provider or the case staffing committee, established pursuant to s. 39.426, as determined by the cooperative agreement required in s. 232.19(3). The case staffing committee may request the department or its designee to file a child-in-need-of-services petition based upon the report and efforts of the school district or other community agency or may seek to resolve the truancy behavior through the school or community-based organizations or agencies.~~

If a child ~~who is subject to within~~ the compulsory school attendance age is responsive to the interventions described in *ss. 232.17 and 232.19* ~~this paragraph~~ and has completed the necessary requirements to pass the current grade as indicated in the district pupil progression plan, the child shall not be determined to be habitually truant *and shall be passed*; ~~If a child within the compulsory school attendance age has 15 unexcused absences or fails to enroll in school, the State Attorney may file a child-in-need-of-services petition. Prior to filing a petition, the child must be referred to the appropriate agency for evaluation. After consulting with the evaluating agency, the State Attorney may elect to file a child-in-need-of-services petition.~~

(c) ~~A school representative, designated according to school board policy school social worker or other person designated by the school administration, if the school does not have a school social worker, and an intake counselor or case manager of the Department of Juvenile Justice have jointly investigated the truancy problem or, if that was not feasible, have performed separate investigations to identify conditions which may be contributing to the truant behavior; and if, after a joint staffing of the case to determine the necessity for services, such services were determined to be needed, the persons who performed the investigations met jointly with the family and child to discuss any referral to appropriate community agencies for economic services, family or individual counseling, or other services required to remedy the conditions that are contributing to the truant behavior; and~~

(d) The failure or refusal of the parent or legal guardian or the child to participate, or make a good faith effort to participate, in the activities prescribed to remedy the truant behavior, or the failure or refusal of the child to return to school after participation in activities required by this subsection, or the failure of the child to stop the truant behavior after the school administration and the Department of Juvenile Justice have worked with the child as described in s. 232.19(3) shall be handled as prescribed in s. 232.19.

Section 2. Subsections (28) and (29) of section 228.041, Florida Statutes, 1996 Supplement, are amended to read:

228.041 Definitions.—Specific definitions shall be as follows, and wherever such defined words or terms are used in the Florida School Code, they shall be used as follows:

(28) HABITUAL TRUANT.—A habitual truant is a student who has 15 unexcused absences within 90 *school* days with or without the knowledge or consent of the student's parent or legal guardian, *is subject to compulsory school attendance under s. 232.01*, and is not exempt ~~under and who is not exempt from attendance by virtue of being over the age of compulsory school attendance, by meeting the criteria in s. 232.06 or s. 232.09, or by meeting the criteria for any other exemption specified by law or rules of the State Board of Education. Such a student must have been the subject of the activities specified in ss. 232.17 and 232.19, without resultant successful remediation of the truancy problem before being dealt with as a child in need of services according to the provisions of chapter 39.~~

(29) DROPOUT.—A dropout is a student ~~not subject to over the age of compulsory school attendance, as defined in s. 232.01~~, who meets any one or more of the following criteria:

(a) The student has voluntarily removed himself or herself from the school system before graduation for reasons that include, but are not limited to, marriage or entrance into the military, or the student has withdrawn from school because he or she has failed the statewide student assessment test and thereby does not receive any of the certificates of completion;

(b) The student has not met the relevant attendance requirements of the school district pursuant to State Board of Education rules, or the student was expected to attend a school but did not enter as expected for unknown reasons, or the student's whereabouts are unknown;

(c) The student has withdrawn from school, but has not transferred to another public or private school or enrolled in any vocational, adult, or alternative educational program;

(d) The student has withdrawn from school due to hardship, unless such withdrawal has been granted under the provisions of s. 322.0601, court action, expulsion, medical reasons, or pregnancy; or

(e) The student is not eligible to attend school because of reaching the maximum age for an exceptional student program in accordance with the district's policy.

Students not exempt from attendance pursuant to s. 232.06 and ~~who are subject to under the age of compulsory school attendance under s. 232.01 and who stop attending school are shall be known as~~ habitual truants as defined in subsection (28) and are not ~~to be~~ considered dropouts. The State Board of Education may adopt rules to implement the provisions of this subsection.

Section 3. Subsection (1) of section 232.01, Florida Statutes, is amended to read:

232.01 Regular school attendance required between ages of 6 and 16; permitted at age of 5; exceptions.—

(1)(a) All children who have attained the age of 6 years or who will have attained the age of 6 years by February 1 of any school year or who are older than 6 years of age but who have not attained the age of 16 years, except as hereinafter provided, are required to attend school regularly during the entire school term.

(b) Any child who has attained the age of 6 years on or before September 1 of the school year and who has been enrolled in a public school or who has attained the age of 6 years on or before September 1 and has satisfactorily completed the requirements for kindergarten in a nonpublic school from which the district school board accepts transfer of academic credit, or who otherwise meets the criteria for admission or transfer in a manner similar to that applicable to other grades, shall progress according to the district's pupil progression plan. However, nothing in this section shall authorize the state or any school district to oversee or exercise control over the curricula or academic programs of nonpublic schools.

(c) A child who attains the age of 16 years during the school year ~~is shall not subject to compulsory school attendance be required to attend school beyond the date upon which he or she attains that age if the child files a formal declaration of intent to terminate school enrollment with the district school board. The declaration must be signed by the child and the child's parent or legal guardian. A child who attains the age of 18 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age.~~

(d) Students who become or have become married and students who are pregnant shall not be prohibited from attending school. These students and students who are parents shall receive the same educational instruction or its equivalent as other students, but may voluntarily be assigned to a class or program suited to their special needs. Consistent with s. 230.23166, pregnant or parenting teens shall be entitled to participate in a teenage parent program. Pregnant students may attend alternative education programs or adult education programs, provided that the curriculum allows the student to continue to work toward a high school diploma.

(e) Beginning with the 1991-1992 school year and consistent with rules adopted by the state board, children with disabilities who have attained the age of 3 years shall be eligible for admission to public special education programs and for related services under rules adopted by the school board. Exceptional children who are deaf or hard of hearing, visually impaired, dual sensory impaired, severely physically handicapped, trainable mentally handicapped, or profoundly handicapped, or who have established conditions, or exhibit developmental delays, below age 3 may be eligible for special programs; or, if enrolled in other pre-kindergarten or day care programs, they may be eligible for supplemental instruction. Rules for the identification of established conditions for children birth through 2 years of age and developmental delays for children birth through 5 years of age must be adopted by the State Board of Education.

(f) Homeless children, as defined in s. 228.041, must have access to a free public education and must be admitted to school in the school district in which they or their families live. School districts shall assist homeless children to meet the requirements of ss. 232.03, 232.0315, and 232.032, as well as local requirements for documentation.

Section 4. Section 232.17, Florida Statutes, 1996 Supplement, is amended to read:

~~232.17 Enforcement of school attendance Attendance assistants; qualifications; compensation; duties.—Pursuant to procedures established by the district school board, a designated school representative must complete activities designed to determine the cause and attempt the remediation of truant behavior, as provided in this section. Provisions for the employment, qualifications, compensation, and duties of attendance assistants shall be as follows:~~

~~(1) EMPLOYMENT AND QUALIFICATIONS OF ATTENDANCE ASSISTANTS.—The school board, upon the recommendation of the superintendent, may employ and fix the compensation, including reimbursement for travel, of a sufficient number of qualified attendance assistants to guarantee regular attendance at school of all children of the district within compulsory school age requirements who are not herein exempted from attendance.~~

~~(2) DUTIES AND RESPONSIBILITIES OF ATTENDANCE ASSISTANTS.—The duties and responsibilities of the attendance assistant shall be exercised under the direction of the superintendent and shall be as follows:~~

~~(a) Maintain records.—Pupil accounting records, unless maintained by others assigned by the superintendent, shall be kept by attendance assistants. These records shall be on forms approved pursuant to regulations of the state board.~~

~~(1)(b) Investigate nonenrollment and unexcused absences.—A designated school representative In accordance with procedure established by the state board, attendance assistants shall investigate cases of nonenrollment and unexcused absences from school of all children subject to compulsory school attendance within the compulsory school age.~~

~~(2)(c) Give written notice.—Under the direction of the superintendent, a designated school representative the attendance assistant shall give written notice, either in person or by return receipt registered mail, to the parent, guardian, or other person having control when no valid reason is found for a child's nonenrollment in school or when the child has a minimum of 3 but fewer than 15 unexcused absences within 90 school days, requiring enrollment or attendance within 3 days after from the date of notice. If the such notice and requirement are ignored, the designated school representative attendance assistant shall report the case to the superintendent, and may refer the case to the case staffing committee, established pursuant to s. 39.426, if the conditions of s. 232.19(3) have been met. The superintendent may take such steps as are necessary to bring criminal prosecution against the parent, guardian, or other person having control. No further written notice of the child's absence from school is required to be given to the parent, guardian, or other person having control unless the child, upon his or her return to school, remains in attendance for 10 consecutive days.~~

~~(3)(d) Return child to parent.—A designated school representative The attendance assistant shall visit the home or place of residence of a child and any other place in which he or she is likely to find any child who is required to attend school when such child is not enrolled or is absent from school during school hours without an excuse, and, when the such child is has been found, shall return the child to his or her parent or to the principal or teacher in charge of the school, or to the private tutor from whom absent.~~

~~(e) Visit home.—The attendance assistant shall visit promptly the home of each child of school age in his or her attendance district not in attendance upon the school, and of any child who should attend the Florida State School for the Deaf and the Blind, and who is reported as not enrolled in that school or as absent without excuse.~~

~~(4) Written notice.—If no valid reason is found for such nonenrollment or absence, from such school or schools the designated school representative attendance assistant shall give written notice to the parent, requiring the child's enrollment or attendance as prescribed above. The designated school representative attendance assistant shall secure the written approval of the president of the Florida State School for the Deaf and the Blind before he or she directs or requests the parents of any child to take or send such child to that school. Ten days' notice must be given in the case of a child who is ordered sent to that school. On refusal or failure of the parent to meet such requirement, the designated school representative attendance assistant shall report the same to the superintendent, and that official shall proceed to take such action as is prescribed in s. 232.19(2).~~

~~(5)(f) Report to the Division of Jobs and Benefits.—A designated school representative The attendance assistant shall report to the Division of Jobs and Benefits of the Department of Labor and Employment Security or to any person acting in similar capacity who may be designated by law to receive such notices, all violations of the Child Labor Law that may come to his or her knowledge.~~

~~(6)(g) Right to inspect.—An authorized school representative The attendance assistant shall have the same right of access to, and inspection of, establishments where minors may be employed or detained as is given by law to the Division of Jobs and Benefits only for the purpose of ascertaining whether children of compulsory school age are actually employed there and are actually working there regularly. The designated school representative attendance assistant shall, if he or she finds unsatisfactory working conditions or violations of the Child Labor Law, report his or her findings to the Division of Jobs and Benefits or its agents.~~

~~(7)(h) Records Record of visits.—Each designated school representative who performs duties according to this section The attendance assistant shall keep an accurate record of all children returned to schools or homes, of all cases prosecuted, and of all other service performed. A written report of all such activities shall be made quarterly to the school board and shall be filed in the office of the superintendent.~~

(8) *Pattern of nonattendance.*—If a child repeats a pattern of nonattendance within one school year, the designated school representative shall resume the series of escalating activities at the point at which he or she had previously left off.

Section 5. Section 232.19, Florida Statutes, 1996 Supplement, is amended to read:

232.19 *Court procedure and penalties.*—The court procedure and penalties for the enforcement of the provisions of this chapter, relating to compulsory school attendance, shall be as follows:

(1) **COURT JURISDICTION.**—The circuit court has original and exclusive jurisdiction of all proceedings against, or prosecutions of, children under the provisions of this chapter. Proceedings against, or prosecutions of, parents or employers as provided by this section shall be in the court of each county having jurisdiction of misdemeanors wherein trial by jury is afforded the defendant.

(2) **NONENROLLMENT AND NONATTENDANCE CASES.**—

(a) In each case of nonenrollment or of nonattendance upon the part of a child who is required to attend some school, when no valid reason for such nonenrollment or nonattendance is found, the superintendent shall institute a criminal prosecution against the child's parent.

(b) *Each public school principal or the principal's designee shall notify the district school board of each minor under its jurisdiction who accumulates 15 unexcused absences in a period of 90 school days. Each designee of the governing body of each private school, and each parent whose child is enrolled in a home-education program, may provide the department with the legal name, sex, date of birth, and social security number of each minor under his or her jurisdiction who fails to satisfy relevant attendance requirements and who fails to otherwise satisfy the requirements of s. 322.091. The superintendent must provide the Department of Highway Safety and Motor Vehicles the legal name, sex, date of birth, and social security number of each minor who has been reported under this paragraph and who fails to otherwise satisfy the requirements of s. 322.091 to the Department of Highway Safety and Motor Vehicles. The Department of Highway Safety and Motor Vehicles may not issue a driver's license or learner's driver's license to, and shall suspend any previously issued driver's license or learner's driver's license of, any such minor pursuant to the provisions of s. 322.091.*

(3) **HABITUAL TRUANCY CASES.**—*In accordance with procedures established by the district school board, the school social worker or a designated school representative. The school social worker, the attendance assistant, or the school superintendent's designee if there is no school social worker or attendance assistant shall refer a student who is habitually truant and the student's family to the children-in-need-of-services and families-in-need-of-services provider or the case staffing committee, established pursuant to s. 39.426, as determined by the cooperative agreement required in this section. The case staffing committee may request the Department of Juvenile Justice or its designee to file a child-in-need-of-services petition based upon the report and efforts of the school district or other community agency or may seek to resolve the truancy behavior through the school or community-based organizations or agencies. Prior to and subsequent to the filing of a child-in-need-of-services petition due to habitual truancy, the appropriate governmental agencies must allow a reasonable time to complete actions required by this subsection to remedy the conditions leading to the truant behavior. The following criteria must be met and documented in writing prior to the filing of a petition:*

(a) The child must have 15 unexcused absences within 90 school days with or without the knowledge or consent of the child's parent or legal guardian, *must be subject to compulsory school attendance, and must not be exempt under and must not be exempt from attendance by virtue of being over the age of compulsory school attendance or by meeting the criteria in s. 232.06, s. 232.09, or any other exemption specified by law or the rules of the State Board of Education.*

(b) In addition to the actions described in s. 232.17, the school administration must have completed the following activities to determine the cause, and to attempt the remediation, of the child's truant behavior:

1. After a minimum of 3 and prior to 15 unexcused absences within 90 school days, one or more meetings must have been held, either in person or by phone, between a school attendance assistant or school social worker, the child's parent or guardian, and the child, if necessary, to report and to attempt to solve the truancy problem. However, *if the school attendance assistant or school social worker or the designated*

school representative has documented the refusal of the parent or guardian to participate in the meetings, this requirement has been met.

2. Educational counseling must have been provided to determine whether curriculum changes would help solve the truancy problem, and, if any changes were indicated, such changes must have been instituted but proved unsuccessful in remedying the truant behavior. Such curriculum changes may include enrollment of the child in an alternative education program that meets the specific educational and behavioral needs of the child, including a second chance school, as provided for in s. 230.2316, designed to resolve truant behavior.

3. ~~Educational evaluation, which may include Psychological evaluation, if recommended by the case-staffing committee,~~ must have been provided to assist in determining the specific condition, if any, that is contributing to the child's nonattendance. The evaluation must have been supplemented by specific efforts by the school to remedy any diagnosed condition.

If a child *who is subject to within* the compulsory school attendance age is responsive to the interventions described in this paragraph and has completed the necessary requirements to pass the current grade as indicated in the district pupil progression plan, the child shall be passed.

(4) **COOPERATIVE AGREEMENTS.**—

(e) The district manager of the Department of Juvenile Justice or the district manager's designee, *the district administrator of the Department of Children and Family Services or the district administrator's designee,* and the superintendent of the local school district or the superintendent's designee must *develop* ~~have developed~~ a cooperative interagency agreement *that: which*

(a) Clearly defines each department's role, responsibility, and function in working with habitual truants and their families;:

(b) Identifies and implements measures to resolve and reduce truant behavior; ~~The interagency agreement shall specify that the participants~~

(c) Addresses ~~address~~ issues of streamlining service delivery, the appropriateness of legal intervention, case management, the role and responsibility of the case staffing committee, student and parental intervention and involvement, and community action plans; ~~The interagency agreement shall~~

(d) ~~Delineates delineate~~ timeframes for implementation and *identifies identify* a mechanism for reporting results by the district juvenile justice manager or the district manager's designee and the superintendent of schools or the superintendent's designee to the Department of Juvenile Justice and the Department of Education and other governmental entities as needed; ~~and. The cooperative agreement may designate~~

(e) Designates which agency shall be responsible for the intervention steps in s. 39.01(73), or this section, ~~to if such designation shall~~ yield more effective and efficient intervention services.

(5)(4) **ATTENDANCE REGISTER AS EVIDENCE.**—The register of attendance of pupils at a public, parochial, denominational, or private school, or of pupils taught by a private tutor, kept in compliance with rules and regulations of the state board is prima facie evidence of the facts which it is required to show. A certified copy of any rule or regulation and a statement of the date of its adoption and promulgation by the state board is admissible as prima facie evidence of the provisions of such rule or regulation and of the date of its adoption or promulgation.

(6)(5) **PROCEEDINGS AND PROSECUTIONS; WHO MAY BEGIN.**—Proceedings or prosecutions under the provisions of this chapter may be begun by the superintendent, by an attendance assistant, by the probation officer of the county, by the executive officer of any court of competent jurisdiction, or by an officer of any court of competent jurisdiction, or by a duly authorized agent of the Department of Education.

(7)(6) **PENALTIES.**—The penalties for refusing or failing to comply with the provisions of this chapter shall be as follows:

(a) The parent.—A parent who refuses or fails to have a child who is under his or her control attend school regularly, or who refuses or fails to comply with the requirements in subsection (3), is guilty of a misdemeanor of the second degree, punishable as provided by law. *A person convicted under this section may be sentenced to pay a fine, according to*

s. 775.083, in lieu of or in addition to the punishment provided by s. 775.082. Notwithstanding any other provision of this section, \$25 shall be added to a fine imposed pursuant to this section, the proceeds of which shall be allocated annually by the county commission for use in truancy prevention programs. The continued or habitual absence of a child without the consent of the principal or teacher in charge of the school he or she attends or should attend, or of the tutor who instructs or should instruct him or her, is prima facie evidence of a violation of this chapter; however, the court of the appropriate jurisdiction, upon finding that the parent has made a bona fide and diligent effort to control and keep the child in school, shall excuse the parent from any criminal liability prescribed herein and shall refer the parent and child for counseling, guidance, or other needed services.

(b) The principal or teacher.—A principal or teacher in charge of a school, public, parochial, denominational, or private, or a private tutor who willfully violates any provision of this chapter may, upon satisfactory proof of such violation, have his or her certificate revoked by the Department of Education.

(c) The employer.—An employer who fails to notify the superintendent when he or she ceases to employ a child is guilty of a misdemeanor of the second degree, punishable as provided by law.

Section 6. Subsections (1) and (2) of section 322.05, Florida Statutes, 1996 Supplement, are amended to read:

322.05 Persons not to be licensed.—The department may not issue a license:

(1) To a person who is under the age of 16 years, except that the department may issue a learner's driver's license to a person who is at least 15 years of age and who meets the requirements of ss. 322.1615 and 322.091 s. ~~322.161~~ and of any other applicable law or rule.

(2) To a person who is at least 16 years of age but is under 18 years of age unless the person meets the requirements of s. 322.091 and holds a valid:

(a) Learner's driver's license for at least 6 months before applying for a license; or

(b) License that was issued in another state or in a foreign jurisdiction and that would not be subject to suspension or revocation under the laws of this state.

Section 7. Subsection (3) is added to section 322.09, Florida Statutes, 1996 Supplement, as amended by section 4 of chapter 93-144, Laws of Florida, to read:

322.09 Application of minors.—

(3) The department may not issue a driver's license or learner's driver's license to any applicant under the age of 18 years who is not in compliance with the requirements of s. 322.091.

Section 8. Section 322.091, Florida Statutes, is created to read:

322.091 Attendance requirements.—

(1) ELIGIBILITY REQUIREMENTS FOR DRIVING PRIVILEGES.—A minor is not eligible for driving privileges unless that minor:

(a) Is enrolled in a public school, nonpublic school, or home education program and satisfies relevant attendance requirements;

(b) Has received a high school diploma, a high school equivalency diploma, a special diploma, or a certificate of high school completion;

(c) Is enrolled in a study course in preparation for the Test of General Educational Development and satisfies relevant attendance requirements;

(d) Is enrolled in other educational activities approved by the district school board and satisfies relevant attendance requirements;

(e) Has been issued a certificate of exemption according to s. 232.06; or

(f) Has received a hardship waiver under this section.

The department may not issue a driver's license or learner's driver's license to, or shall suspend the driver's license or learner's driver's license

of, any minor concerning whom the department receives notification of noncompliance with the requirements of this section.

(2) NOTIFICATION OF INTENT TO SUSPEND; SUSPENSION; RECORD OF NONCOMPLIANCE.—

(a) The department shall notify each minor for whom the department has received notification of noncompliance with the requirements of this section as provided in s. 232.19, and the minor's parent or guardian, of the department's intent to suspend the minor's driving privileges.

(b) The minor, or the parent or guardian of the minor, has 15 calendar days following the date of receipt of this notice to provide proof of compliance with the requirements of this section as provided in subsection (4) or to request a hardship waiver hearing under subsection (3).

(c) Twenty days after the date of issuance of this notice, the department shall suspend the minor's operator's license or learner's driver's license or record the legal name, sex, date of birth, and social security number of each minor who does not possess a driver's license or learner's driver's license, unless the minor has provided the department with verification of compliance with the requirements of subsection (1) or the appropriate school official has provided the department with verification of a request for a waiver hearing.

(d) Upon notification of the outcome of a hardship waiver hearing, the department shall suspend the driver's license or learner's driver's license of a minor who was denied a hardship waiver, or record the legal name, sex, date of birth, and social security number of a minor who does not possess a driver's license or learner's driver's license and who was denied a hardship waiver.

(e) The department may not issue a driver's license or learner's driver's license to any minor for whom it has a record of noncompliance with the requirements of subsection (1) unless the minor submits verification of compliance pursuant to subsection (5).

(3) HARDSHIP WAIVER AND APPEAL.—

(a) A minor, or the parent or guardian of a minor, has 15 calendar days following the date of receipt of the notice of intent to suspend to request a hardship waiver hearing before the public school principal, the principal's designee, or the designee of the governing body of a private school for the purpose of reviewing the pending suspension of driving privileges. The school official receiving the request shall notify the department of the request for a waiver hearing within 24 hours of receiving the request. Public school officials shall also notify the district school board of the request for a waiver hearing. The hearing must be conducted within 30 calendar days after the public school principal, the principal's designee, or the designee of the governing body of a private school receives the request.

(b) The public school principal, the principal's designee, or the designee of the governing body of a private school shall waive the requirements of subsection (1) for any minor under the school's jurisdiction for whom a personal or family hardship requires that the minor have a driver's license for his or her own, or his or her family's, employment or medical care. The minor or the minor's parent or guardian may present other evidence that indicates compliance with the requirements of subsection (1) at the waiver hearing. The public school principal, the principal's designee, or the designee of the governing body of a private school shall take into consideration the recommendations of teachers, other school officials, guidance counselors, or academic advisers before waiving the requirements of subsection (1).

(c) The public school principal, the principal's designee, or the designee of the governing body of a private school shall notify the department of the outcome of a minor's hardship waiver hearing within 24 hours after conducting the hearing. Public school officials shall also notify the district school board of the outcome of the hearing.

(d) Any person denied a hardship waiver by a public school principal, the principal's designee, or the designee of the governing body of a private school may appeal the decision to the district school board or the governing body of the private school. The district school board or the governing body of the private school shall notify the department if the hardship waiver is subsequently granted.

(4) VERIFICATION OF COMPLIANCE AND REINSTATEMENT.—A district school board shall provide a minor with written verification that he or she is in compliance with the requirements of subsection (1) if the district determines that he or she has been in compliance

for 30 days prior to the request for verification of compliance. Upon receiving written verification that the minor is again in compliance with the requirements of subsection (1), the department shall reinstate the minor's driving privilege. Thereafter, if the school district determines that the minor is not in compliance with the requirements of subsection (1), the department shall suspend the minor's driving privilege until the minor is 18 years old or otherwise satisfies the requirements of subsection (1), whichever occurs first.

(5) **REPORTING AND ACCOUNTABILITY.**—The department shall report quarterly to each school district the legal name, sex, date of birth, and social security number of each student whose driving privileges have been suspended under this section.

Section 9. This act shall take effect July 1, 1997.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to enforcement of compulsory school attendance; amending s. 39.01, F.S.; revising provisions regarding habitual truancy; amending s. 228.041, F.S.; revising the definitions of the terms "habitual truant" and "dropout"; amending s. 232.01, F.S.; revising compulsory school attendance requirements to require children over the age of 16 to file a formal declaration of intent to terminate school enrollment in order to be exempt from compulsory school attendance requirements; amending s. 232.17, F.S.; revising procedures relating to habitual truancy; amending s. 232.19, F.S.; revising procedures relating to habitual truancy; requiring each public school principal to notify the district school board of students who accumulate a specified number of unexcused absences; authorizing the governing body of a private school to provide such information to the Department of Education; requiring that the Department of Highway Safety and Motor Vehicles withhold issuance of or suspend the driver's license or a learner's driver's license of a student who fails to satisfy school attendance requirements; requiring the Department of Juvenile Justice, the Department of Children and Family Services, and the school districts to develop cooperative agreements for working with habitual truants and their families; providing for an additional fine to be imposed against a parent who fails to comply with the compulsory school-attendance requirements; providing that proceeds of the fine be used to fund truancy prevention programs; amending s. 322.05, F.S., relating to the issuance of driver's licenses; conforming provisions to changes made by the act; amending s. 322.09, F.S.; prohibiting the Department of Highway Safety and Motor Vehicles from issuing a driver's license or restricted license to a person under a specified age who does not meet requirements for school attendance and is not otherwise exempt from such requirements; creating s. 322.091, F.S.; providing that a minor is not eligible for driving privileges unless the minor is enrolled in school or a home-education program, has received a high school diploma or certificate, is enrolled in certain other educational activities, or obtains a certificate of exemption or hardship waiver; requiring the Department of Highway Safety and Motor Vehicles to notify a minor before the department suspends the minor's driving privileges because of noncompliance with school-attendance requirements; providing for a hardship waiver; providing for a hearing before the public school principal or the designee of the governing body of a private school; providing for the department to reinstate a minor's driving privileges following compliance with school-attendance requirements for a specified period; requiring the department to report to school districts on students whose driving privileges are suspended; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 586** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **SB 128** was deferred.

On motion by Senator Clary—

CS for SB 398—A bill to be entitled An act relating to postsecondary education; amending s. 240.551, F.S.; providing for rulemaking by the Florida Prepaid Postsecondary Education Expense Board; providing technical revisions; authorizing the board to construct contracts for dormitory residence; deleting the requirement that the board construct contracts for dormitory residence; providing for exemption from securities transactions laws; providing for refunds associated with the conversion of registration plans; reviving and readopting s. 240.552, F.S., relating to the Florida Prepaid Tuition Scholarship Program; providing an effective date.

—was read the second time by title.

Senator Clary moved the following amendment which was adopted:

Amendment 1 (with title amendment)—On page 3, line 31 through page 4, line 9, delete those lines and insert: *defined in s. 220.03(1). The board shall inform purchasers of changes to the tax or securities status of contracts purchased through the program. The board shall solicit answers to applicable ruling requests from the Internal Revenue Service regarding the tax status of fees paid pursuant to an advance payment contract to the purchaser or qualified beneficiary and from the Securities and Exchange Commission regarding the application of federal securities laws to the trust. The board shall make the status of such requests known before entering into an advance payment contract.*

And the title is amended as follows:

On page 1, line 9, after the semicolon (;) insert: defining the term "Internal Revenue Code of 1986"; deleting a requirement that the board, before entering into certain advance payment contracts, seek and disseminate certain information about the applicability of federal tax and securities laws to those contracts;

Pursuant to Rule 4.19, **CS for SB 398** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Jenne—

SB 72—A bill to be entitled An act relating to district school board elections; requiring certain school districts to elect school district board members from single-member residence areas; providing an effective date.

—was read the second time by title.

The Committee on Executive Business, Ethics and Elections recommended the following amendment which was moved by Senator Jenne:

Amendment 1—On page 1, lines 11, 16 and 17 delete "1 million" and insert: 900,000

On motion by Senator Jenne, further consideration of **SB 72** with pending **Amendment 1** was deferred.

MOTION

On motion by Senator Ostalkiewicz, by two-thirds vote **SB 386** was removed from the Special Order Calendar and withdrawn from further consideration.

On motion by Senator Williams—

CS for SB 2004—A bill to be entitled An act relating to the Department of Management Services; amending s. 20.04, F.S.; exempting the department from certain structural requirements imposed on executive agencies; amending s. 20.22, F.S.; revising the organizational structure of the department; directing the Division of Statutory Revision of the Joint Legislative Management Committee to prepare a reviser's bill; providing for the preservation of the administrative rules of the department until specifically changed as provided by law; amending s. 110.1127, F.S.; revising language with respect to employee security checks; amending s. 110.1165, F.S.; revising the requirements with respect to procedures for relief with respect to executive branch personnel errors; amending s. 110.201, F.S.; providing for personnel rules, records, and reports for employees and positions in the career service; amending s. 110.207, F.S.; directing the department to facilitate the statewide planning and implementation of the career service broadbanding compensation and classification system; amending s. 110.217, F.S.; removing date requirements with respect to appointments and promotions; amending s. 110.403, F.S.; revising language with respect to the powers and duties of the department; amending s. 110.406, F.S.; revising language with respect to data collection for the Senior Management Service; amending s. 110.602, F.S.; directing the department to designate all positions in the Select Exempt Service as either managerial/policymaking, professional, or nonmanagerial/nonpolicymaking; amending s. 110.606, F.S., relating to data collection for the Selected Exempt Service; amending s. 216.235, F.S.; revising language with respect to the

Innovative Investment Program; providing legislative intent; providing for composition and responsibilities of the State Innovation Committee; providing for responsibilities of the department, the Information Resource Commission, and the review board; amending s. 255.21, F.S.; providing that buildings or facilities open to the general public must comply with the provisions of part V of chapter 553, F.S., relating to handicapped accessibility; repealing s. 110.1097, F.S., relating to personnel system improvements for the Department of Health and Rehabilitative Services; amending ss. 255.28, 255.30, 255.507, F.S.; eliminating references to rules; amending s. 282.105, F.S.; providing that certain educational entities shall be eligible to use the state SUNCOM Network; amending s. 287.042, F.S.; revising language with respect to the powers of the Division of Purchasing of the Department of Management Services; amending s. 364.511, F.S.; providing that all net revenue realized through the leasing of available satellite transponder time, after deducting the costs of performing the management functions, shall be recycled to support the Florida Distance Learning Network; repealing s. 282.1021, F.S., relating to the State Implementation Plan for Communications Services; amending s. 282.307, F.S.; conforming to the act; creating the Workforce 2000 Study Commission; providing for membership; providing powers and duties of the commission; requiring reports; providing for staffing of the commission; providing an appropriation; expressing legislative intent to reorganize the Department of Management Services and to revise the laws relating to the Career Service and Select Exempt Service Systems, the Innovation Investment Program, public property and publicly owned buildings, and the Correctional Privatization Commission; amending s. 957.03, F.S.; providing that the Correctional Privatization Commission shall be a separate budget entity, not subject to supervision by the department; providing an effective date.

—was read the second time by title.

Senator Williams moved the following amendments which were adopted:

Amendment 1—On page 9, line 25 through page 10, line 17, delete those lines and insert:

(g) *In consultation with the Executive Office of the Governor, the department shall facilitate the statewide planning of the career service broadbanding compensation and classification system.*

1. *Upon approval by the Executive Office of the Governor, the department shall begin developing the broadbanding system to ensure agency flexibility and accountability on a statewide basis, and shall have the authority to determine system modifications necessary to permit use by all agencies. The proposed structure shall address all issues raised in the January 1997 report on the "Review of the Department of Transportation Model Classification Plan" submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The Department of Management Services shall provide alternatives for a rate funding formula that will not exceed the statewide cost under the current formula and will ensure that agencies are able to effectively recruit and retain employees. The Department of Transportation shall continue to use the model system it developed under s. 334.0445 until July 1, 1998.*

2. *Once the Executive Office of the Governor has approved a statewide broadbanding compensation and classification system, state agencies will come under the uniform personnel system based on an implementation schedule developed by the Department of Management Services and approved by the Executive Office of the Governor.*

Amendment 2 (with title amendment)—On page 26, lines 20-25, delete those lines and renumber subsequent sections.

And the title is amended as follows:

On page 3, lines 13-19, delete those lines and insert: amending s. 957.03,

Pursuant to Rule 4.19, **CS for SB 2004** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Williams—

CS for SB 1066—A bill to be entitled An act relating to administrative procedures; amending s. 120.52, F.S.; adding educational units to the definition of the term "agency"; amending s. 120.54, F.S.; deleting the requirement for rule development for rule repeal; authorizing an alternative method by which a person may receive a copy of a preliminary draft of a rule; clarifying that an agency's decision to use negotiated

rulemaking is not final agency action; deleting references to the Department of Commerce; clarifying the time by which the small business ombudsman must provide regulatory alternatives to an agency; extending the period for filing a rule upon provision of regulatory alternatives to a rule; clarifying times for filing when a notice of change to a rule must be filed; extending the period for filing a rule; amending s. 120.541, F.S.; extending the period for filing a rule if a written alternative for a lower cost regulatory alternative to a rule is provided; amending s. 120.542, F.S.; providing that public employees are not persons subject to regulation for the purposes of waiver and variance; authorizing an agency to limit grants of variance or waiver only to the extent necessary to achieve the purpose of the underlying statute; clarifying that agencies may not grant a variance or waiver to rules required by the Federal Government; requiring uniform rules of procedures to contain certain procedures related to waiver and variance; clarifying the procedure by which an agency may request additional necessary information during the review of a petition for waiver or variance; amending s. 120.56, F.S.; providing that a proceeding to determine a violation of s. 120.54(1), F.S., may be consolidated with other proceedings; eliminating authority to bring such an action in conjunction with certain other proceedings; amending s. 120.569, F.S.; conforming references; amending s. 120.57, F.S.; clarifying provisions governing expedited hearings; adding a decision, opinion, order or report of the presiding officer to the record of hearings not involving disputed facts; requiring agencies to use uniform bid protest procedural rules; amending s. 120.573, F.S.; clarifying the time when mediation is authorized; amending s. 120.574, F.S.; providing that intervenors are governed by the decision of the original parties regarding the summary-hearing process; amending s. 120.595, F.S.; providing an exception to the award of attorney's fees when an agency demonstrates that a statement is required by the Federal Government to implement or retain a delegated or approved program or to meet a condition to receipt of federal funds; amending s. 120.60, F.S.; requiring a notice of intent to deny a license to specify the grounds or basis; providing an exception; specifying criteria for procedures for agencies to take emergency action with respect to licenses; amending s. 120.65, F.S.; providing requirements for the director of the Division of Administrative Hearings; amending s. 120.66, F.S.; clarifying that a presiding officer may be an agency head or designee; amending s. 120.68, F.S.; providing for judicial review; amending s. 120.74, F.S.; specifying the frequency of rule reviews; amending s. 120.81, F.S.; providing that educational units and local units of government need not publish notices or the text of proposed rules in the Florida Administrative Weekly; providing an effective date.

—was read the second time by title.

Senator Williams moved the following amendments which were adopted:

Amendment 1—On page 14, line 31, after "rule" insert: *in s. 120.54(3)(e)2.*

Amendment 2—On page 23, line 19, after "contain" insert: *the name of the petitioner, the date the petition was filed, the rule number and nature of the rule from which the waiver or variance is sought,*

Amendment 3—On page 31, delete line 5 and insert:

2. Give parties or their counsel ~~the option an opportunity~~, at a

Amendment 4—On page 44, line 5, delete "shall" and insert: *need*

Pursuant to Rule 4.19, **CS for SB 1066** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Williams—

CS for SB 1160—A bill to be entitled An act relating to historic preservation boards; repealing parts II, V, VI, VII and VIII of chapter 266, F.S.; eliminating the Historic St. Augustine Preservation Board of Trustees, the Historic Florida Keys Preservation Board of Trustees, the Historic Palm Beach County Preservation Board of Trustees, and the Historic Tampa-Hillsborough Preservation Board of Trustees; redesignating part III of chapter 266, F.S., the Historic Pensacola Preservation Board of Trustees as part II of said chapter; redesignating part IV of ch. 266, F.S., the Historic Tallahassee Preservation Board of Trustees, as part III of that chapter; amending s. 267.061, F.S., relating to state policy and responsibilities with respect to historic properties; providing that the Division of Historical Resources of the Department of State shall establish regional offices for the purpose of assisting in the delivery of historic preservation services; providing locations at which regional offices are to be established; providing for the establishment of citizen

support organizations; requiring the Department of State to contract with the City of St. Augustine for the management of state-owned properties managed by the Historic St. Augustine Preservation Board of Trustees; providing for use of proceeds from management of state-owned properties by the City of St. Augustine; providing for the transfer of specified funds to the City of St. Augustine; providing for transfer of ownership and responsibility of specified items to assist in the transition of the management of state-owned properties; requiring the Department of State to contract with specified nonprofit corporations for the purpose of continuing work performed by specified historic preservation boards; providing for use of proceeds from the management of state-owned properties by such corporations; providing for the transfer of specified funds to such corporations; providing specified requirements in the contracts; providing legislative intent with respect to the 1997-1998 General Appropriations Act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1160** was placed on the calendar of Bills on Third Reading.

On motion by Senator Burt—

SB 268—A bill to be entitled An act relating to public officers and employees; amending ss. 18.01, 19.14, 20.23, F.S.; eliminating bond requirements for the Treasurer, the Commissioner of Agriculture, the comptroller of the Department of Transportation; amending s. 20.05, F.S.; allowing the head of an executive department to require bonds for officers or employees of the department and to set the amount of the bond and approve the bond; amending s. 20.32, F.S.; allowing the Parole Commission to require bonds for employees, set the bond amount, and approve the bonds; amending s. 27.255, F.S.; authorizing state attorneys to require bonds for full-time investigators and special investigators; amending ss. 28.01, 28.02, 28.09, 30.01, 30.02, 30.06, 30.09, 30.21, 40.35, F.S.; requiring bonds and the filing of bonds with the clerk of the circuit court as determined by the board of county commissioners for the clerk of the circuit court, clerks ad interim, sheriffs, and deputy sheriffs; clarifying the liability of sureties; amending ss. 48.021, 98.015, eliminating bond requirements for special process servers, and supervisors of elections; amending s. 113.07, F.S.; eliminating the requirement for public officials to file a surety bond as a prequalification to holding office or performing duties; amending s. 115.03, F.S., relating to elected officers' duties; clarifying that any required bonds remain in effect for the remainder of a term of office; allowing for the deputy to give a bond; amending s. 137.01, F.S.; eliminating the bond requirements for county officers; allowing the board of county commissioners to require county officers to give a bond, set the amount of the bond, and approve the bond; requiring the filing of bonds with the clerk of the circuit court instead of the Department of State; amending s. 137.02, F.S.; eliminating the bond requirements for tax collectors; requiring bond as determined by the board of county commissioners; eliminating the requirement that the Department of State approve the bond; amending s. 137.03, F.S.; eliminating the bond requirement for property appraisers; requiring bond as determined by the board of county commissioners; amending s. 137.04, F.S.; eliminating the bond requirement for county commissioners; requiring bond as determined by the board; eliminating the requirement that the Department of State approve the bond; amending s. 137.05, F.S., relating to the examination requirements of bonds of county officers by the county commissioners; removing the examination criteria for sureties; removing the required report of impaired bonds by the county commissioners to the Governor; amending s. 240.268, F.S.; eliminating the bond requirement for university police officers; allowing the university to require a bond, set the amount of the bond, and approve the bond; amending s. 240.38, F.S.; eliminating the bond requirement for community college police officers; allowing the community college to require a bond, set the amount of the bond, and approve the bond; amending s. 242.343, F.S.; eliminating the bond requirement for campus police of the Florida School for the Deaf and the Blind; allowing the board of trustees to require a bond, set the amount of the bond, and approve the bond; amending ss. 250.10, 266.00001, 266.0003, 266.0013, 266.0023, 266.0033, 266.0043, 266.0053, 266.0063, F.S., and repealing s. 252.55(5), F.S.; eliminating bond requirements for the state quartermaster appointed by the Adjutant General, the Florida Wing commander of the Civil Air Patrol, and members of the historic preservation boards; authorizing the Department of State to require and approve a bond for members of historic preservation boards; amending s. 284.41, F.S.; eliminating the coverage for trust funds by the public official bond of the Treasurer and Insurance Commissioner; amending s. 320.03, F.S.; allowing the Department of Highway Safety and Motor Vehicles to require a bond of tax collectors; amending s. 372.04, F.S.; eliminating the

requirement for the Director of the Game and Fresh Water Fish Commission to give a bond; allowing the Game and Fresh Water Fish Commission to require a bond of employees, to determine the amount of the bond, and to approve the bond; amending s. 388.131, F.S.; eliminating the bond requirement for the board of commissioners of mosquito-control districts; allowing the Department of Agriculture and Consumer Services to require a bond; amending s. 440.50, F.S.; eliminating the requirement for the Treasurer and Insurance Commissioner to give a bond related to his or her duties as custodian of the Workers' Compensation Administration Trust Fund; amending s. 443.191, F.S.; eliminating the liability on the Treasurer's and Insurance Commissioner's official bond for duties as custodian of the Unemployment Compensation Trust Fund; amending s. 443.211, F.S.; eliminating the liability on the Treasurer's and Insurance Commissioner's official bond for duties in connection with the Employment Security Administration Trust Fund; amending s. 523.22, F.S.; eliminating the requirement that the Legislature provide for premiums for the bonds of all naval store inspectors; amending ss. 561.051, 570.073, 570.09, 570.11, 582.055, F.S.; eliminating bond requirements for the director and employees of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation and for certain employees of the Department of Agriculture and Consumer Services; repealing s. 17.01, F.S., which requires the Comptroller to give a bond; repealing s. 17.19, F.S., which requires the Comptroller to annually examine the bonds of state officers and report insufficiency of bonds to the Governor; requiring the Governor to require a new bond; holding the Comptroller liable to the state for any loss sustained due to failure to examine the bonds; providing for recovery of loss by suit; repealing s. 113.05, F.S., which prohibits the Governor from issuing commissions to persons required by law to give bond until the execution, approval, and filing of the bond; repealing s. 137.06, F.S., which provides that the failure of a county officer to file a new bond is misfeasance, requires the Governor to suspend the officer and appoint a successor, and makes an officer impeachable for failure to give a new bond; repealing s. 137.07, F.S., which provides liability of the Comptroller and county commissioners to the state and county for failure to perform duties under s. 17.19 or s. 137.05, F.S.; repealing s. 213.04, F.S., which requires the executive director of the Department of Revenue to give a bond; repealing s. 229.501, F.S., which requires the Commissioner of Education to give a bond; repealing s. 281.09, F.S., which requires bonding for the officers and agents of the Division of Capitol Police; repealing s. 321.08, F.S., which requires certain officers and employees of the Department of Highway Safety and Motor Vehicles to give a bond; repealing s. 523.11, F.S., which requires the supervising inspector of naval stores to give a bond; providing applicability; providing an effective date.

—was read the second time by title.

Senator Burt moved the following amendment which was adopted:

Amendment 1—On page 13, lines 10 and 25, after the period (.) insert: *When a sheriff is appointed to fill a vacancy, a bond may not be a prerequisite to succession in office; however, if the county commission requires a bond for the office of sheriff the commission shall allow a period of 10 days after the effective date of the appointment in which the bond may be provided.*

Pursuant to Rule 4.19, **SB 268** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator McKay—

SB 206—A bill to be entitled An act relating to environmental control; repealing s. 403.708(10)(b), F.S., which prohibits the distribution or sale of certain polystyrene foam or plastic-coated paper products; providing an effective date.

—was read the second time by title.

An amendment was considered to conform **SB 206** to **CS for HB 107**.

Pending further consideration of **SB 206** as amended, on motion by Senator McKay, by two-thirds vote **CS for HB 107** was withdrawn from the Committees on Natural Resources; and Ways and Means.

On motion by Senator McKay—

CS for HB 107—A bill to be entitled An act relating to environmental control; repealing s. 403.708(3) and (10)(b), F.S., relating to the sale of containers connected to other containers by a separate holding device composed of plastic rings and to the prohibition on the sale of certain

biodegradable products used in conjunction with food for human consumption; providing an effective date.

—a companion measure, was substituted for **SB 206** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 107** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bronson—

CS for SB 26—A bill to be entitled An act relating to environmental protection; amending s. 403.813, F.S.; providing that certain environmental permits are not required for maintenance dredging of portions of natural waterbodies within approved rights-of-way or drainage easements; providing limitations for such maintenance dredging; providing for notice to the water management district or the Department of Environmental Protection; providing an effective date.

—was read the second time by title.

An amendment was considered to conform **CS for SB 26** to **CS for HB 57**.

Pending further consideration of **CS for SB 26** as amended, on motion by Senator Bronson, by two-thirds vote **CS for HB 57** was withdrawn from the Committees on Natural Resources; and Ways and Means.

On motions by Senator Bronson, by two-thirds vote—

CS for HB 57—A bill to be entitled An act relating to environmental protection; amending s. 253.03, F.S.; prohibiting the control, regulation, permitting, or imposition of charges on certain severed materials; amending s. 369.20, F.S.; authorizing certain riparian owners to remove aquatic plants without certain permits under certain circumstances; exempting certain permits from certain water pollution operation permit requirements; amending s. 403.813, F.S.; exempting installation and repair of certain piers and docking facilities from certain permitting requirements; providing that certain environmental permits are not required for maintenance dredging of certain portions of natural water bodies within approved rights-of-way or drainage easements; providing limitations; specifying activities for which certain permits are not required under certain circumstances; prohibiting the Department of Environmental Protection from adopting certain rules; providing an effective date.

—a companion measure, was substituted for **CS for SB 26** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 57** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rossin—

SB 52—A bill to be entitled An act relating to asbestos removal programs; amending s. 376.60, F.S.; providing for the Department of Environmental Protection to reimburse local governments that have been approved to conduct asbestos removal programs under certain circumstances; removing fees for inspection of residential dwellings; exempting specified persons from the fees; prohibiting local governments from charging certain fees while being reimbursed by the department; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 52** was placed on the calendar of Bills on Third Reading.

On motion by Senator Brown-Waite—

CS for SB 360—A bill to be entitled An act relating to the Coastal Zone Protection Act of 1985; amending s. 161.54, F.S.; redefining the term “substantial improvement”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 360** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1008** was deferred.

On motion by Senator Dantzler—

SB 1104—A bill to be entitled An act relating to citrus canker; amending s. 602.065, F.S.; revising disposition of funds received from the Federal Government for eradication of citrus canker; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1104** was placed on the calendar of Bills on Third Reading.

On motion by Senator Scott—

CS for SB's 530 and 848—A bill to be entitled An act relating to breast cancer treatment; creating s. 627.64171, F.S.; providing for length of stay and followup care for persons who have a mastectomy; prohibiting certain acts by insurers; providing that the act does not require a hospital stay; providing for cost-sharing; limiting the application of the law; providing exceptions; creating s. 627.64172, F.S.; providing requirements with respect to followup care; providing for a determination of a preexisting condition; amending s. 627.6419, F.S.; including insureds who have been free from breast cancer for a period of time in the coverage requirements; prohibiting an insurer from denying, canceling, or failing to renew a health or accident insurance policy or exclude coverage or benefits under certain conditions; amending s. 627.651, F.S.; applying certain requirements for group coverage to multiple-employer welfare arrangements; amending s. 627.6515, F.S.; applying certain requirements for group coverage to out-of-state groups; creating s. 627.66121, F.S.; providing for length of stay and followup care for persons who have a mastectomy; prohibiting certain acts by insurers; providing that the act does not require a hospital stay; providing for cost-sharing; limiting the application of the law; providing exceptions; creating s. 627.66122, F.S.; providing requirements with respect to followup care; providing for a determination of a preexisting condition; amending s. 627.6699, F.S.; applying certain requirements for group coverage to coverage for small employers; creating s. 641.31096, F.S.; providing requirements with respect to followup care; providing for a determination of a preexisting condition; amending s. 641.31, F.S.; providing for length of stay and followup care for persons who have a mastectomy; prohibiting certain acts by health maintenance organizations; providing that the act does not require a hospital stay; providing for cost-sharing; limiting the application of the law; providing exceptions; providing a statement that the act fulfills an important state interest; providing an effective date.

—was read the second time by title.

Senators Scott, Campbell, Grant and Williams offered the following amendment which was moved by Senator Scott and adopted:

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

Section 1. Section 627.6417, Florida Statutes, is amended to read:

627.6417 ~~Optional~~ Coverage for surgical procedures and devices incident to mastectomy.—

(1) ~~Any An accident or health insurance policy issued, amended, delivered, or renewed in this state that provides coverage for mastectomies must also provide make available to the policyholder, as part of the application, coverage for the initial prosthetic devices device and breast reconstructive surgery incident to the mastectomy. The insurer may charge an appropriate additional premium for the coverage required by this subsection. The coverage for prosthetic devices and breast reconstructive surgery shall be is subject to any the deductible and coinsurance conditions applied to the mastectomy, and all other terms and conditions applicable to other benefits. Breast reconstructive surgery must be in a manner chosen by the treating physician, consistent with prevailing medical standards, and in consultation with the patient. If a mastectomy is performed and there is no evidence of malignancy, the coverage may be limited to the provision of the initial prosthetic device~~

and reconstructive surgery within 2 years after the date of the mastectomy.

(2) As used in this section, the term "mastectomy" means the removal of all or part of the breast for medically necessary reasons as determined by a licensed physician, and the term "breast reconstructive surgery" means surgery to reestablish symmetry between the two breasts.

(3) This section does not apply to disability income, specified disease other than cancer, or hospital indemnity policies.

Section 2. Section 627.64171, Florida Statutes, is created to read:

627.64171 Coverage for length of stay and outpatient postsurgical care.—

(1) Any health insurance policy that is issued, amended, delivered, or renewed in this state which provides coverage for breast cancer treatment may not limit inpatient hospital coverage for mastectomies to any period that is less than that determined by the treating physician to be medically necessary in accordance with prevailing medical standards and after consultation with the insured patient.

(2) Any health insurance policy that provides coverage for mastectomies under subsection (1) must also provide coverage for outpatient postsurgical followup care in keeping with prevailing medical standards by a licensed health care professional qualified to provide postsurgical mastectomy care. The treating physician, after consultation with the insured patient, may choose that the outpatient care be provided at the most medically appropriate setting, which may include the hospital, treating physician's office, outpatient center, or home of the insured patient.

(3) An insurer subject to subsection (1) may not:

(a) Deny to an insured eligibility, or continued eligibility, to enroll or to renew coverage under the terms of the policy for the purpose of avoiding the requirements of this section;

(b) Provide monetary payments or rebates to an insured patient to accept less than the minimum protections available under this section;

(c) Penalize or otherwise reduce or limit the reimbursement of an attending provider solely because the attending provider provided care to an insured patient under this section;

(d) Provide incentives, monetary or otherwise, to an attending provider solely to induce the provider to provide care to an insured patient in a manner inconsistent with this section; or

(e) Subject to the other provisions of this section, restrict benefits for any portion of a period within a hospital length of stay or outpatient care as required by this section in a manner that is less than favorable than the benefits provided for any preceding portion of such stay.

(4)(a) This section does not require an insured patient to have the mastectomy in the hospital or stay in the hospital for a fixed period of time following the mastectomy.

(b) This section does not prevent a policy from imposing deductibles, coinsurance, or other cost-sharing in relation to benefits under this section, except that such cost-sharing may not exceed cost-sharing with other benefits.

(5) Except as provided in subsection (3), this section does not affect any agreement between an insurer and a hospital or other health care provider with respect to reimbursement for health care services provided, rate negotiations with providers, or capitation of providers, and does not prohibit appropriate utilization review or case management by the insurer.

(6) This section does not apply to disability income, specified diseases other than cancer, or hospital indemnity policies.

(7) As used in this section, the term "mastectomy" means the removal of all or part of the breast for medically necessary reasons as determined by a licensed physician.

Section 3. Section 627.64172, Florida Statutes, is created to read:

627.64172 Requirements with respect to breast cancer and routine followup care.—Routine followup care to determine whether a breast cancer has recurred in a person who has been previously determined to

be free of breast cancer does not constitute medical advice, diagnosis, care, or treatment for purposes of determining preexisting conditions, unless evidence of breast cancer is found during or as a result of the followup care.

Section 4. Section 627.6419, Florida Statutes, is amended to read:

627.6419 Requirements with respect to breast cancer fibrocystic conditions.—

(1) An insurer may not deny the issuance or renewal of, or cancel, a policy of accident insurance or health insurance, nor include any exception or exclusion of benefits in a policy, solely because the insured has been diagnosed as having a fibrocystic condition or a nonmalignant lesion that demonstrates a predisposition, unless the condition is diagnosed through a breast biopsy that demonstrates an increased disposition to developing breast cancer.

(2) An insurer may not deny the issuance or renewal of, or cancel, a policy of accident insurance or health insurance, nor include any exception or exclusion of benefits in a policy solely due to breast cancer, if the insured has been free from breast cancer for more than 2 years before the applicant's request for health insurance coverage.

(3) This section also applies to a policy of group, blanket, or franchise accident or health insurance and to a contract or evidence of coverage issued by a health maintenance organization.

Section 5. Subsection (4) of section 627.651, Florida Statutes, is amended to read:

627.651 Group contracts and plans of self-insurance must meet group requirements.—

(4) This section does not apply to any plan which is established or maintained by an individual employer in accordance with the Employee Retirement Income Security Act of 1974, Pub. L. No. 93-406, or to a multiple-employer welfare arrangement as defined in s. 624.437(1), except that a multiple-employer welfare arrangement shall comply with ss. 627.419, 627.657, 627.6575, 627.6576, 627.6578, 627.6579, 627.6612, 627.66121, 627.66122, 627.6615, 627.6616, and 627.662(6). This subsection does not allow an authorized insurer to issue a group health insurance policy or certificate which does not comply with this part.

Section 6. Subsection (2) of section 627.6515, Florida Statutes, 1996 Supplement, is amended to read:

627.6515 Out-of-state groups.—

(2) This part does not apply to a group health insurance policy issued or delivered outside this state under which a resident of this state is provided coverage if:

(a) The policy is issued to an employee group the composition of which is substantially as described in s. 627.653; a labor union group or association group the composition of which is substantially as described in s. 627.654; an additional group the composition of which is substantially as described in s. 627.656; a group insured under a blanket health policy when the composition of the group is substantially in compliance with s. 627.659; a group insured under a franchise health policy when the composition of the group is substantially in compliance with s. 627.663; an association group to cover persons associated in any other common group, which common group is formed primarily for purposes other than providing insurance; a group that is established primarily for the purpose of providing group insurance, provided the benefits are reasonable in relation to the premiums charged thereunder and the issuance of the group policy has resulted, or will result, in economies of administration; or a group of insurance agents of an insurer, which insurer is the policyholder;

(b) Certificates evidencing coverage under the policy are issued to residents of this state and contain in contrasting color and not less than 10-point type the following statement: "The benefits of the policy providing your coverage are governed primarily by the law of a state other than Florida"; and

(c) The policy provides the benefits specified in ss. 627.419, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121, 627.66122, 627.6613, 627.667, 627.6675, and 627.6691.

Section 7. Section 627.6612, Florida Statutes, is amended to read:

627.6612 ~~Optional~~ Coverage for surgical procedures and devices incident to mastectomy.—

(1) ~~Any A group, blanket, or franchise accident or health insurance policy issued, amended, delivered, or renewed in this state that provides coverage for mastectomies must also provide make available to the policyholder coverage for the initial prosthetic devices device and breast reconstructive surgery incident to the mastectomy. The insurer may charge an appropriate additional premium for the coverage required by this subsection. The coverage for prosthetic devices and breast reconstructive surgery shall be subject to any the deductible and coinsurance conditions applied to the mastectomy, and all other terms and conditions applicable to other benefits. Breast reconstructive surgery must be in a manner chosen by the treating physician under contract with the health maintenance organization, consistent with prevailing medical standards, and in consultation with the patient. If a mastectomy is performed and there is no evidence of malignancy, the coverage may be limited to the provision of the initial prosthetic device and reconstructive surgery to within 2 years after the date of the mastectomy.~~

(2) As used in this section, the term "mastectomy" means the removal of all or part of the breast for medically necessary reasons as determined by a licensed physician, and the term "breast reconstructive surgery" means surgery to reestablish symmetry between the two breasts.

Section 8. Section 627.66121, Florida Statutes, is created to read:

627.66121 *Coverage for length of stay and outpatient post surgical care.—*

(1) *Any group, blanket, or franchise accident or health insurance policy that is issued, amended, delivered, or renewed in this state which provides coverage for breast cancer treatment may not limit inpatient hospital coverage for mastectomies to any period that is less than that determined by the treating physician to be medically necessary in accordance with prevailing medical standards and after consultation with the insured patient.*

(2) *Any group, blanket, or franchise accident or health insurance policy that provides coverage for mastectomies under subsection (1) must also provide coverage for outpatient postsurgical followup care in keeping with prevailing medical standards by a licensed health care professional qualified to provide postsurgical mastectomy care. The treating physician, after consultation with the insured patient, may choose that the outpatient care be provided at the most medically appropriate setting, which may include the hospital, treating physician's office, outpatient center, or home of the insured patient.*

(3) *An insurer subject to subsection (1) may not:*

(a) *Deny to an insured eligibility, or continued eligibility, to enroll or to renew coverage under the terms of the policy for the purpose of avoiding the requirements of this section;*

(b) *Provide monetary payments or rebates to an insured patient to accept less than the minimum protections available under this section;*

(c) *Penalize or otherwise reduce or limit the reimbursement of an attending provider solely because the attending provider provided care to an insured patient under this section;*

(d) *Provide incentives, monetary or otherwise, to an attending provider solely to induce the provider to provide care to an insured patient in a manner inconsistent with this section; or*

(e) *Subject to the other provisions of this section, restrict benefits for any portion of a period within a hospital length of stay or outpatient care as required by this section in a manner that is less than favorable than the benefits provided for any preceding portion of such stay.*

(4)(a) *This section does not require an insured patient to have the mastectomy in the hospital or stay in the hospital for a fixed period of time following the mastectomy.*

(b) *This section does not prevent a policy from imposing deductibles, coinsurance, or other cost-sharing in relation to benefits under this section, except that such cost-sharing may not exceed cost-sharing with other benefits.*

(5) *Except as provided in subsection (3), this section does not affect any agreement between an insurer and a hospital or other health care provider with respect to reimbursement for health care services provided,*

rate negotiations with providers, or capitation of providers and does not prohibit appropriate utilization review or case management by the insurer.

(6) *This section does not apply to disability income, specified diseases other than cancer, or hospital indemnity policies.*

(7) *As used in this section, the term "mastectomy" means the removal of all or part of the breast for medically necessary reasons as determined by a licensed physician.*

Section 9. Section 627.66122, Florida Statutes, is created to read:

627.66122 *Requirements with respect to breast cancer and routine followup care.—Routine followup care to determine whether a breast cancer has recurred in a person who has been previously determined to be free of breast cancer does not constitute medical advice, diagnosis, care, or treatment for purposes of determining preexisting conditions unless evidence of breast cancer is found during or as a result of the followup care.*

Section 10. Subsection (12) of section 627.6699, Florida Statutes, 1996 Supplement, is amended to read:

627.6699 Employee Health Care Access Act.—

(12) STANDARD, BASIC, AND LIMITED HEALTH BENEFIT PLANS.—

(a)1. By May 15, 1993, the commissioner shall appoint a health benefit plan committee composed of four representatives of carriers which shall include at least two representatives of HMOs, at least one of which is a staff model HMO, two representatives of agents, four representatives of small employers, and one employee of a small employer. The carrier members shall be selected from a list of individuals recommended by the board. The commissioner may require the board to submit additional recommendations of individuals for appointment. As alliances are established under s. 408.702, each alliance shall also appoint an additional member to the committee.

2. The committee shall develop changes to the form and level of coverages for the standard health benefit plan and the basic health benefit plan, and shall submit the forms, and levels of coverages to the department by September 30, 1993. The department must approve such forms and levels of coverages by November 30, 1993, and may return the submissions to the committee for modification on a schedule that allows the department to grant final approval by November 30, 1993.

3. The plans shall comply with all of the requirements of this subsection.

4. The plans must be filed with and approved by the department prior to issuance or delivery by any small employer carrier.

5. After approval of the revised health benefit plans, if the department determines that modifications to a plan might be appropriate, the commissioner shall appoint a new health benefit plan committee in the manner provided in subparagraph 1. to submit recommended modifications to the department for approval.

(b)1. Each small employer carrier issuing new health benefit plans shall offer to any small employer, upon request, a standard health benefit plan and a basic health benefit plan that meets the criteria set forth in this section.

2. For purposes of this subsection, the terms "standard health benefit plan" and "basic health benefit plan" mean policies or contracts that a small employer carrier offers to eligible small employers that contain:

a. An exclusion for services that are not medically necessary or that are not covered preventive health services; and

b. A procedure for preauthorization by the small employer carrier, or its designees.

3. A small employer carrier may include the following managed care provisions in the policy or contract to control costs:

a. A preferred provider arrangement or exclusive provider organization or any combination thereof, in which a small employer carrier enters into a written agreement with the provider to provide services at specified levels of reimbursement or to provide reimbursement to specified providers. Any such written agreement between a provider and a

small employer carrier must contain a provision under which the parties agree that the insured individual or covered member has no obligation to make payment for any medical service rendered by the provider which is determined not to be medically necessary. A carrier may use preferred provider arrangements or exclusive provider arrangements to the same extent as allowed in group products that are not issued to small employers.

b. A procedure for utilization review by the small employer carrier or its designees.

This subparagraph does not prohibit a small employer carrier from including in its policy or contract additional managed care and cost containment provisions, subject to the approval of the department, which have potential for controlling costs in a manner that does not result in inequitable treatment of insureds or subscribers. The carrier may use such provisions to the same extent as authorized for group products that are not issued to small employers.

4. The standard health benefit plan shall include:
 - a. Coverage for inpatient hospitalization;
 - b. Coverage for outpatient services;
 - c. Coverage for newborn children pursuant to s. 627.6575;
 - d. Coverage for child care supervision services pursuant to s. 627.6579;
 - e. Coverage for adopted children upon placement in the residence pursuant to s. 627.6578;
 - f. Coverage for mammograms pursuant to s. 627.6613;
 - g. Coverage for handicapped children pursuant to s. 627.6615;
 - h. Emergency or urgent care out of the geographic service area; and
 - i. Coverage for services provided by a hospice licensed under s. 400.602 in cases where such coverage would be the most appropriate and the most cost-effective method for treating a covered illness.

5. The standard health benefit plan and the basic health benefit plan may include a schedule of benefit limitations for specified services and procedures. If the committee develops such a schedule of benefits limitation for the standard health benefit plan or the basic health benefit plan, a small employer carrier offering the plan must offer the employer an option for increasing the benefit schedule amounts by 4 percent annually.

6. The basic health benefit plan shall include all of the benefits specified in subparagraph 4.; however, the basic health benefit plan shall place additional restrictions on the benefits and utilization and may also impose additional cost containment measures.

7. Sections 627.419(2), (3), and (4), 627.6574, 627.6612, 627.66121, 627.66122, 627.6616, 627.6618, and 627.668 apply to the standard health benefit plan and to the basic health benefit plan. However, notwithstanding said provisions, the plans may specify limits on the number of authorized treatments, if such limits are reasonable and do not discriminate against any type of provider.

8. Each small employer carrier that provides for inpatient and outpatient services by allopathic hospitals may provide as an option of the insured similar inpatient and outpatient services by hospitals accredited by the American Osteopathic Association when such services are available and the osteopathic hospital agrees to provide the service.

(c) If a small employer rejects, in writing, the standard health benefit plan and the basic health benefit plan, the small employer carrier may offer the small employer a limited benefit policy or contract.

(d)1. Upon offering coverage under a standard health benefit plan, a basic health benefit plan, or a limited benefit policy or contract for any small employer, the small employer carrier shall provide such employer group with a written statement that contains, at a minimum:

- a. An explanation of those mandated benefits and providers that are not covered by the policy or contract;
- b. An explanation of the managed care and cost control features of the policy or contract, along with all appropriate mailing addresses and

telephone numbers to be used by insureds in seeking information or authorization; and

c. An explanation of the primary and preventive care features of the policy or contract.

Such disclosure statement must be presented in a clear and understandable form and format and must be separate from the policy or certificate or evidence of coverage provided to the employer group.

2. Before a small employer carrier issues a standard health benefit plan, a basic health benefit plan, or a limited benefit policy or contract, it must obtain from the prospective policyholder a signed written statement in which the prospective policyholder:

a. Certifies as to eligibility for coverage under the standard health benefit plan, basic health benefit plan, or limited benefit policy or contract;

b. Acknowledges the limited nature of the coverage and an understanding of the managed care and cost control features of the policy or contract;

c. Acknowledges that if misrepresentations are made regarding eligibility for coverage under a standard health benefit plan, a basic health benefit plan, or a limited benefit policy or contract, the person making such misrepresentations forfeits coverage provided by the policy or contract; and

d. If a limited plan is requested, acknowledges that the prospective policyholder had been offered, at the time of application for the insurance policy or contract, the opportunity to purchase any health benefit plan offered by the carrier and that the prospective policyholder had rejected that coverage.

A copy of such written statement shall be provided to the prospective policyholder no later than at the time of delivery of the policy or contract, and the original of such written statement shall be retained in the files of the small employer carrier for the period of time that the policy or contract remains in effect or for 5 years, whichever period is longer.

3. Any material statement made by an applicant for coverage under a health benefit plan which falsely certifies as to the applicant's eligibility for coverage serves as the basis for terminating coverage under the policy or contract.

4. Each marketing communication that is intended to be used in the marketing of a health benefit plan in this state must be submitted for review by the department prior to use and must contain the disclosures stated in this subsection.

(e)1. A small employer carrier may not use any policy, contract, form, or rate under this section, including applications, enrollment forms, policies, contracts, certificates, evidences of coverage, riders, amendments, endorsements, and disclosure forms, until the insurer has filed it with the department and the department has approved it under ss. 627.410, 627.4106, and 627.411.

2. A small employer carrier must file with the department by December 1, 1993, the standard and basic health benefit plan that it intends to initially use to comply with this subsection during calendar year 1994, together with the rates therefor, and the department must approve the submissions by January 1, 1994.

Section 11. Section 641.31096, Florida Statutes, is created to read:

641.31096 Requirements with respect to breast cancer and routine followup care.—Routine followup care to determine whether a breast cancer has recurred in a person who has been previously determined to be free of breast cancer does not constitute medical advice, diagnosis, care, or treatment for purposes of determining preexisting conditions unless evidence of breast cancer is found during or as a result of the followup care.

Section 12. Subsections (29) and (30) are added to section 641.31, Florida Statutes, 1996 Supplement, to read:

641.31 Health maintenance contracts.—

(29)(a) Health maintenance contracts that provide coverage, benefits, or services for breast cancer treatment may not limit inpatient hospital coverage for mastectomies to any period that is less than that determined

by the treating physician under contract with the health maintenance organization to be medically necessary in accordance with prevailing medical standards and after consultation with the covered patient. Such contract must also provide coverage for outpatient postsurgical followup care in keeping with prevailing medical standards by a licensed health care professional under contract with the health maintenance organization qualified to provide postsurgical mastectomy care. The treating physician under contract with the health maintenance organization, after consultation with the covered patient, may choose that the outpatient care be provided at the most medically appropriate setting, which may include the hospital, treating physician's office, outpatient center, or home of the covered patient.

(b) A health maintenance organization subject to this subsection may not:

1. Deny to a covered person eligibility, or continued eligibility, to enroll or to renew coverage under the terms of the contract for the purpose of avoiding the requirements of this subsection;

2. Provide monetary payments or rebates to a covered patient to accept less than the minimum protections available under this subsection;

3. Penalize or otherwise reduce or limit the reimbursement of an attending provider solely because the attending provider provided care to a covered patient under this subsection;

4. Provide incentives, monetary or otherwise, to an attending provider solely to induce the provider to provide care to a covered patient in a manner inconsistent with this subsection; or

5. Subject to the other provisions of this subsection, restrict benefits for any portion of a period within a hospital length of stay or outpatient care as required by this subsection in a manner that is less than favorable than the benefits provided for any preceding portion of such stay.

(c1) This subsection does not require a covered patient to have the mastectomy in the hospital or stay in the hospital for a fixed period of time following the mastectomy.

2. This subsection does not prevent a contract from imposing deductibles, coinsurance, or other cost-sharing in relation to benefits pursuant to this subsection, except that such cost-sharing shall not exceed cost-sharing with other benefits.

(d) Except as provided in paragraph (b), this subsection does not affect any agreement between a health maintenance organization and a hospital or other health care provider with respect to reimbursement for health care services provided, rate negotiations with providers, or capitation of providers, and does not prohibit appropriate utilization review or case management by the health maintenance organization.

(e) As used in this subsection the term "mastectomy" means the removal of all or part of the breast for medically necessary reasons as determined by a licensed physician.

(30) A health maintenance contract that provides coverage for mastectomies must also provide coverage for prosthetic devices and breast reconstructive surgery incident to the mastectomy. As used in this subsection, the term "breast reconstructive surgery" means surgery to reestablish symmetry between the two breasts. Such surgery must be in a manner chosen by the treating physician under contract with the health maintenance organization, consistent with prevailing medical standards, and in consultation with the patient. The health maintenance organization may charge an appropriate additional premium for the coverage required by this subsection. The coverage for prosthetic devices and breast reconstructive surgery shall be subject to any deductible and coinsurance conditions.

Section 13. This act fulfills an important state interest.

Section 14. This act shall take effect October 1, 1997, and shall apply to policies and contracts issued or renewed after that date.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to breast cancer treatment; amending s. 627.6417, F.S.; requiring certain health insurance policies to provide coverage for breast reconstructive surgery and prosthetic devices; creating s. 627.64171, F.S.; providing for length of stay and followup care for persons who have a mastectomy; prohibiting certain acts by insurers;

providing that the act does not require a hospital stay; providing for cost-sharing; limiting the application of the law; providing exceptions; creating s. 627.64172, F.S.; providing requirements with respect to followup care; providing for a determination of a preexisting condition; amending s. 627.6419, F.S.; including insureds who have been free from breast cancer for a period of time in the coverage requirements; prohibiting an insurer from denying, canceling, or failing to renew a health or accident insurance policy or exclude coverage or benefits under certain conditions; amending s. 627.651, F.S.; applying certain requirements for group coverage to multiple-employer welfare arrangements; amending s. 627.6515, F.S.; applying certain requirements for group coverage to out-of-state groups; amending s. 627.6612, F.S.; requiring certain health insurance policies to provide coverage for breast reconstructive surgery and prosthetic devices; creating s. 627.66121, F.S.; providing for length of stay and followup care for persons who have a mastectomy; prohibiting certain acts by insurers; providing that the act does not require a hospital stay; providing for cost-sharing; limiting the application of the law; providing exceptions; creating s. 627.66122, F.S.; providing requirements with respect to followup care; providing for a determination of a preexisting condition; amending s. 627.6699, F.S.; applying certain requirements for group coverage to coverage for small employers; creating s. 641.31096, F.S.; providing requirements with respect to followup care; providing for a determination of a preexisting condition; amending s. 641.31, F.S.; providing for length of stay and followup care for persons who have a mastectomy; prohibiting certain acts by health maintenance organizations; providing that the act does not require a hospital stay; providing for cost-sharing; limiting the application of the law; providing exceptions; requiring health maintenance organization contracts to provide coverage for breast reconstructive surgery and prosthetic devices; providing a statement that the act fulfills an important state interest; providing an effective date.

Pursuant to Rule 4.19, **CS for SB's 530 and 848** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bankhead—

SB 602—A bill to be entitled An act relating to water and wastewater systems; amending s. 367.171, F.S.; including Flagler County within a list of counties excluded from the provisions of the Water and Wastewater System Regulatory Law; providing an effective date.

—was read the second time by title.

An amendment was considered to conform **SB 602** to **HB 555**.

Pending further consideration of **SB 602** as amended, on motion by Senator Bankhead, by two-thirds vote **HB 555** was withdrawn from the Committee on Regulated Industries.

On motion by Senator Bankhead—

HB 555—A bill to be entitled An act relating to water and wastewater systems; amending s. 367.171, F.S.; including Collier, Flagler, and Hernando counties within a list of counties excluded from the provisions of the Water and Wastewater System Regulatory Law; providing an effective date.

—a companion measure, was substituted for **SB 602** as amended and read the second time by title.

Pursuant to Rule 4.19, **HB 555** was placed on the calendar of Bills on Third Reading.

On motion by Senator Cowin—

CS for SB 558—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.081, F.S.; requiring the Public Service Commission to extend time periods and reschedule events by the number of days a utility is late in providing discovery; providing an effective date.

—was read the second time by title.

Senator Cowin moved the following amendment which was adopted:

Amendment 1—On page 1, line 24, following the period (.) insert: *In addition to the time extension caused by the delay, the commission shall have 120 days to hold the final hearing.*

Pursuant to Rule 4.19, **CS for SB 558** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Silver—

SB 1008—A bill to be entitled An act relating to elections; changing the date of the second primary election in 1998; ensuring that all dates tied to the date of the second primary remain unchanged; providing an effective date.

—was read the second time by title.

The Committee on Executive Business, Ethics and Elections recommended the following amendment which was moved by Senator Silver and adopted:

Amendment 1 (with title amendment)—On page 1, line 21 through page 2, line 2, delete those lines and insert:

Section 1. *Notwithstanding section 100.091, Florida Statutes, or any other law to the contrary, the date of the second primary election in 1998 is changed from Tuesday, September 29, 1998, to Thursday, October 1, 1998. However, for purposes of the 1998 general election cycle, all dates in the Florida Election Code tied to the date of the second primary election remain set as if the second primary election were to be held on September 29, 1998, except that elections to be held in conjunction with the second primary election shall be held on October 1, 1998, and restrictions on changes in party affiliation between the first and second primary elections shall remain in effect for the extended period resulting from the change in the date of the second primary election effected by this act.*

And the title is amended as follows:

On page 1, line 5, after “unchanged” insert: , with specified exceptions

Senator Campbell moved the following amendment:

Amendment 2 (with title amendment)—On page 2, lines 3 and 4, delete those lines and insert:

Section 2. Effective January 1, 1998, subsection (4) of section 106.141, Florida Statutes, as amended by CS/HB 461, is amended to read:

106.141 Disposition of surplus funds by candidates.—

(4)(a) Except as provided in paragraph (b), any candidate required to dispose of funds pursuant to this section shall, at the option of the candidate, dispose of such funds by any of the following means, or any combination thereof:

1. Return pro rata to each contributor the funds that have not been spent or obligated.

2. Donate the funds that have not been spent or obligated to a charitable organization or organizations that meet the qualifications of s. 501(c)(3) of the Internal Revenue Code.

3. Give *not more than \$10,000* of the funds that have not been spent or obligated to the political party of which such candidate is a member.

4. Give the funds that have not been spent or obligated:

a. In the case of a candidate for state office, to the state, to be deposited in either the Election Campaign Financing Trust Fund or the General Revenue Fund, as designated by the candidate; or

b. In the case of a candidate for an office of a political subdivision, to such political subdivision, to be deposited in the general fund thereof.

(b) Any candidate required to dispose of funds pursuant to this section who has received contributions from the Election Campaign Financing Trust Fund shall return all surplus campaign funds to the Election Campaign Financing Trust Fund.

Section 3. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

On page 2, lines 5 and 6, delete those lines and insert: second primary remain unchanged, with specified exceptions; amending s. 106.141, F.S.; restricting the amount of surplus funds that may be given to a political party; providing effective dates.

POINT OF ORDER

Senator Burt raised a point of order that pursuant to Rule 7.1 **Amendment 2** was not germane to the bill.

The President referred the point of order, amendment and the bill to the Committee on Rules and Calendar.

Further consideration of **SB 1008** as amended was deferred.

Consideration of **CS for SB 800** was deferred.

On motion by Senator Gutman—

CS for SB 270—A bill to be entitled An act relating to clinical laboratory personnel; amending s. 408.033, F.S.; providing an exemption from certain health care facilities assessments for clinical laboratories operated by practitioners for exclusive use; amending s. 483.035, F.S.; requiring the Agency for Health Care Administration to adopt rules relating to personnel of such laboratories; amending s. 483.061, F.S.; authorizing the agency to perform on-site or off-site inspections; amending s. 483.172, F.S.; providing for expiration of the agency's authority to collect a fee from certain laboratories; amending ss. 483.801, 483.813, F.S.; providing for an exemption from regulation for certain practitioners and persons employed by certain laboratories; amending s. 483.803, F.S.; revising the definition of “clinical laboratory personnel”; amending s. 483.811, F.S.; providing application of regulatory provisions to certain clinical laboratories; creating s. 483.824, F.S.; providing qualifications of a clinical laboratory director; providing an effective date.

—was read the second time by title.

Senator Gutman moved the following amendment which was adopted:

Amendment 1—On page 4, line 18, delete “1997” and insert: 1998

Pursuant to Rule 4.19, **CS for SB 270** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Forman—

SB 486—A bill to be entitled An act relating to assistive technology devices; creating part III of chapter 427, F.S.; creating the “Assistive Technology Device Warranty Act”; providing definitions; requiring an express warranty for manufacturers who sell assistive technology devices; requiring refund, replacement, or repair of nonconforming assistive technology devices; requiring disclosure of reasons for return before resale or re-lease; allowing consumers the option of submitting disputes to arbitration; permitting action for damages for violation of the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 486** was placed on the calendar of Bills on Third Reading.

On motion by Senator Scott, by two-thirds vote **CS for HB 541** was withdrawn from the Committees on Banking and Insurance; and Ways and Means.

On motion by Senator Scott—

CS for HB 541—A bill to be entitled An act relating to the management and regulation of financial institutions; amending s. 280.02, F.S.; revising a definition; amending s. 655.005, F.S.; revising definitions; amending s. 655.0322, F.S.; applying prohibited acts and practices provisions to state or federal savings banks; providing penalties; amending s. 655.045, F.S.; deleting a report requirement; amending s. 655.41, F.S.; revising a definition; amending s. 655.414, F.S.; requiring approval by the Department of Banking and Finance for a financial entity to acquire

certain financial entities; providing for a nonrefundable filing fee; deleting a requirement to file a separate application for each branch office; amending s. 658.21, F.S.; revising criteria for approval of applications; amending s. 658.23, F.S.; clarifying information required in articles of incorporation; amending s. 658.26, F.S.; providing for approval of a branch application under certain circumstances; revising provisions providing for relocation of certain offices in this state; providing a definition; amending s. 658.295, F.S.; revising certain acquisition criteria; deleting an obsolete provision; amending s. 658.2953, F.S.; correcting a threshold date reference; deleting certain requirements for notice of establishment and maintenance of a branch in this state by an out-of-state bank; revising certain filing requirements and trust powers; amending s. 658.73, F.S.; revising application fee provisions; providing for partial refund under certain circumstances; amending s. 663.06, F.S.; providing for indefinite operation of an international banking corporation; deleting temporary operation provisions; amending s. 663.12, F.S.; clarifying certain filing fee provisions; creating ss. 667.001-667.013, F.S.; providing a short title; providing definitions; providing applicability; providing for a name; providing for reorganization, merger, or consolidation; providing for conversion of certain banks or associations to capital stock savings banks; providing requirements; imposing a fee; providing powers and duties of the department under certain circumstances; providing for acquisition of assets or control of savings banks; providing criteria and requirements; specifying powers of savings banks; providing for loans and loan expenses; providing for dealing with successors in interest; providing for foreign savings banks; amending s. 737.101, F.S.; clarifying application of principal place of administration provisions to certain trusts; exempting certain financial institutions resulting from an interstate merger transaction from certain prohibitions; providing for future repeal; repealing s. 658.295(6)(e), F.S., relating to certain notice of acquisitions; providing effective dates.

—a companion measure, was substituted for **CS for SB 410** and read the second time by title.

Senator Scott moved the following amendment which was adopted:

Amendment 1 (with title amendment)—On page 48, between lines 2 and 3, insert:

Section 17. Subsection (1) of section 280.03, Florida Statutes, 1996 Supplement, is amended to read:

280.03 Public deposits to be secured; exceptions.—

(1)(a) All public deposits shall be secured as provided in this chapter. *Notwithstanding the provisions of any other law, a public deposit as defined in s. 280.02(13) may be deposited in a qualified public depository as defined in s. 280.02(16).*

(b) Public funds shall not be deposited directly or indirectly in negotiable certificates of deposit. Except as otherwise provided by law, no public deposit may be made except in a qualified public depository.

(Renumber subsequent sections.)

And the title is amended as follows:

On page 1, line 4, after the semicolon (;) insert: amending s. 280.03, F.S.; allowing for the deposit of state and local government funds in qualified public depositories;

Pursuant to Rule 4.19, **CS for HB 541** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Dudley—

SB 406—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.0605, F.S.; providing a fee for a saltwater fishing license for fishing from any pier attached to the land at the discretion of the owner, operator, or custodian of the pier; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 406** was placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Bankhead, by two-thirds vote all bills remaining on the Special Order Calendar this day were established as the Special Order Calendar for Thursday, April 10.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 9, 1997: SB 2400, SB 2402, CS for SB 1546, CS for SB 1376, CS for SB 1992, CS for SB 178, CS for SB 398, CS for SB 586, SB 128, SB 72, SB 386, CS for SB 2004, CS for SB 1066, CS for SB 1160, SB 268, SB 206, CS for SB 26, SB 52, CS for SB 360, SB 1008, SB 1104, CS for SB's 530 and 848, SB 602, CS for SB 558, CS for SB 800, CS for SB 270, SB 486, CS for SB 410, SB 406

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 674 with 1 amendment, SB 2180 with 1 amendment, SB 2230 with 2 amendments

The Committee on Criminal Justice recommends the following pass: SB 494 with 1 amendment, SB 2076 with 3 amendments

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

The Committee on Banking and Insurance recommends the following pass: SB 2064 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 1844 with 2 amendments

The Committee on Education recommends the following pass: SB 1458

The bills contained in the foregoing reports were 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 2342

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

The Committee on Children, Families and Seniors recommends the following pass: CS for SB's 552, 1960 and 822 with 3 amendments

The Committee on Community Affairs recommends the following pass: SB 1470 with 1 amendment

The Committee on Transportation recommends the following pass: SB 2272 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 Commerce and Economic Opportunities recommends the following pass: SB 1362

The Committee on Health Care recommends the following pass: CS for HB 69 with 4 amendments

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

The Committee on Children, Families and Seniors recommends the following pass: SB 1954 with 1 amendment

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1050, CS for SB 1778 with 2 amendments, SB 2040

The Committee on Criminal Justice recommends the following pass: SB 314

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

The Committee on Community Affairs recommends the following pass: SB 838 with 3 amendments

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

The Committee on Community Affairs recommends the following pass: SB 950

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

The Committee on Executive Business, Ethics and Elections recommends the following pass: SJR 452 with 1 amendment, SB 1856

The Committee on Governmental Reform and Oversight recommends the following pass: CS for SB 716 with 5 amendments, SB 862

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

The Committee on Agriculture recommends the following pass: CS for SB 1420 with 3 amendments

The Committee on Banking and Insurance recommends the following pass: SB 714 with 1 amendment, SB 1060, CS for SB 2066 with 2 amendments

The Committee on Children, Families and Seniors recommends the following pass: SB 1044, SB 1750

The Committee on Commerce and Economic Opportunities recommends the following pass: CS for SB 1018 with 4 amendments, SB 1158, SB 1828 with 1 amendment, SB 1908 with 1 amendment

The Committee on Community Affairs recommends the following pass: SJR 184, CS for SB 722, SB 902, SB 2282

The Committee on Criminal Justice recommends the following pass: SB 874, SB 1304 with 1 amendment, SB 2002

The Committee on Education recommends the following pass: CS for HB 703 with 2 amendments, SB 1604 with 2 amendments, SB 2372

The Committee on Governmental Reform and Oversight recommends the following pass: SB 408, SB 988 with 1 amendment, SB 1932

The Committee on Health Care recommends the following pass: CS for SB 362, SB 1676 with 1 amendment, CS for SB 1836 with 1 amendment, SB 2250

The Committee on Transportation recommends the following pass: CS for SB 1968 with 2 amendments, SB 2248, SB 2416

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

The Committee on Community Affairs recommends the following pass: CS for SB 210, SB 1186, SB 1848

The Committee on Criminal Justice recommends the following pass: SB 1652 with 1 amendment, SB 1874

The Committee on Education recommends the following pass: SB 1734

The Committee on Governmental Reform and Oversight recommends the following pass: CS for SB 1714 with 1 amendment, SB 2222

The Committee on Health Care recommends the following pass: SB 1372 with 1 amendment

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

The Committee on Executive Business, Ethics and Elections recommends the following not pass: SB 1706

The bill was laid on the table.

The Committee on Governmental Reform and Oversight recommends a committee substitute for the following: SB 548

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

The Committee on Health Care recommends committee substitutes for the following: SB 2232, SB 2234

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

The Committee on Children, Families and Seniors recommends a committee substitute for the following: SB 1782

The Committee on Governmental Reform and Oversight recommends a committee substitute for the following: SB 2138

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 Governmental Reform and Oversight recommends a committee substitute for the following: SB 2154

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

The Committee on Banking and Insurance recommends a committee substitute for the following: Senate Bills 916 and 1150

The Committee on Community Affairs recommends a committee substitute for the following: SB 612

The Committee on Governmental Reform and Oversight recommends a committee substitute for the following: CS for SB 496

The Committee on Health Care recommends committee substitutes for the following: SB 872, SB 1218

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

The Committee on Community Affairs recommends committee substitutes for the following: SB 246, SB 470

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Community Affairs and Senator Turner—

CS for SB 246—A bill to be entitled An act relating to selection of probation and parole office space by the Department of Corrections; amending s. 945.28, F.S.; requiring the department to provide written notification to the county or municipal administrator 30 days prior to signing the lease or purchasing the property for intended probation or parole office space which is within one quarter mile of a place where children or a population especially vulnerable to crime due to age or physical or mental disability regularly congregates; providing an effective date.

By the Committee on Community Affairs and Senator Gutman—

CS for SB 470—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.01, F.S.; defining the term “entertainment/resort complex”; amending s. 561.02, F.S.; providing legislative intent; amending s. 562.14, F.S.; prohibiting certain vendors from allowing licensed premises to be rented, leased, or otherwise used during the hours in which the sale of alcoholic beverages is prohibited; providing exceptions; amending s. 562.45, F.S.; prohibiting counties or incorporated municipalities from adopting certain ordinances with respect to alcoholic beverages; providing exceptions; providing an effective date.

By the Committees on Governmental Reform and Oversight; Health Care and Senators Brown-Waite, Grant and Forman—

CS for CS for SB 496—A bill to be entitled An act relating to the regulation of orthotists and prosthetists; providing definitions; creating the Board of Orthotists and Prosthetists; establishing membership requirements; providing for the adoption of rules; providing licensure requirements; providing for fees; creating and educational programs task force; providing for licensure without examination; providing for provisional licenses; providing for license renewal; providing for temporary licenses; prohibiting certain acts and providing penalties; providing exemptions from licensure; prohibiting the use of certain titles by unlicensed persons; providing for construction; providing that provisions relating to the regulation and licensure of orthotic fitters or orthotic fitter assistants is not applicable to licensed pharmacists under certain conditions; providing an effective date.

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

CS for SB 548—A bill to be entitled An act relating to retirement funds; amending s. 175.071, F.S.; prescribing authorized investments for firefighters’ pension trust funds; amending s. 185.06, F.S.; prescribing authorized investments for municipal police officers’ retirement trust funds; providing an effective date.

By the Committee on Community Affairs and Senator Brown-Waite—

CS for SB 612—A bill to be entitled An act relating to veterans’ homes, including the Veterans’ Domiciliary Home of Florida and the Veterans’ Nursing Home of Florida; amending s. 296.02, F.S.; providing definitions; amending s. 296.03, F.S.; including extended congregate care in the types of care offered by the domiciliary home; amending s. 296.04, F.S.; replacing the term “member” with the term “resident”; amending s. 296.06, F.S.; amending prerequisites to eligibility for admission to the domiciliary home; amending s. 296.07, F.S.; replacing the term “member” with the term “resident”; amending s. 296.08, F.S.; amending a cross-reference; amending s. 296.09, F.S.; replacing the term “member” with the term “resident”; amending the list of information about each resident which is to be kept in the general register; amending ss. 296.10, 296.11, 296.12, 296.13, 296.14, 296.15, 296.16, 296.34, 296.38, F.S.; replacing the term “member” with the term “resident”;

amending s. 296.36, F.S.; amending the residency requirement for admission into the Veterans’ Nursing Home of Florida; providing an effective date.

By the Committee on Health Care and Senators Forman, Gutman, Grant, Brown-Waite, Campbell, Sullivan and Klein—

CS for SB 872—A bill to be entitled An act relating to trauma centers; amending s. 395.402, F.S.; providing legislative recognition of pediatric trauma referral centers; providing legislative intent regarding factors to be considered in devising planning guidelines; prescribing the number and types of patients to be treated at pediatric trauma referral centers; amending s. 395.4025, F.S.; providing for the selection of state-approved trauma centers and pediatric trauma referral centers; amending procedures for renewing verification; entitling an applicant hospital to receive copies of certain information; providing an effective date.

By the Committee on Banking and Insurance; and Senators Grant and Williams—

CS for SB’s 916 and 1150—A bill to be entitled An act relating to breast reconstructive surgery; amending ss. 627.6417, 627.651, 627.6515, 627.6612, 627.6699, F.S.; requiring certain health insurance policies to provide coverage for breast reconstructive surgery and prosthetic devices; amending s. 641.31, F.S.; requiring health maintenance organization contracts to provide coverage for breast reconstructive surgery and prosthetic devices; declaring that the act fulfills an important state interest; providing an effective date.

By the Committee on Health Care and Senator Dudley—

CS for SB 1218—A bill to be entitled An act relating to assessments on health care entities; amending s. 395.7015, F.S.; exempting free-standing radiation therapy centers from the annual assessment on net operating revenues of certain health care entities; amending s. 395.701, F.S.; exempting outpatient radiation therapy services provided by certain hospitals from the annual assessment on net operating revenues of such hospitals; providing an effective date.

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

CS for SB 1782—A bill to be entitled An act relating to fathers; amending ss. 383.0112, 383.0113, 383.216, F.S., relating to the Commission on Responsible Fatherhood; postponing date of a statewide symposium; revising appointment of commission members; providing terms; providing for assignment to the Department of Health; providing for inclusion of certain programs in the plan of each prenatal and infant health care coalition; amending s. 414.028, F.S.; providing additional duties for the local WAGES coalitions with respect to improving the process for establishing paternity for noncustodial parents and providing work activities for noncustodial parents; providing an effective date.

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

CS for SB 2138—A bill to be entitled An act relating to bond validation; amending s. 75.07, F.S.; providing intervention by interested persons; amending s. 75.08, F.S.; prescribing those parties entitled to appeal an action to validate bonds; providing an effective date.

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

CS for SB 2154—A bill to be entitled An act relating to efficiency in government; providing legislative intent; directing the Department of Management Services to work with executive agencies to reduce the layers of management in agencies and to increase agency-wide employee-to-supervisor ratios; providing for reports; requiring notification; directing the department to simplify the state’s job classification system;

providing for reports; providing an effective date.

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

CS for SB 2232—A bill to be entitled An act relating to home medical equipment providers; creating part IX of chapter 400, F.S., the Home Medical Equipment Provider Licensure Act; providing for regulation of home medical equipment providers by the Agency for Health Care Administration; providing legislative intent; providing definitions; providing for licensure and exemptions; providing unlawful acts; providing penalties; providing for license applications; providing for fees; providing for background screening; providing for provisional licenses and temporary permits; providing for administrative penalties; providing for injunctions, emergency orders, and moratoriums; providing for licensure inspections and investigations; providing minimum standards; providing for agency rules; providing for patient records; providing for notice of a toll-free telephone number for the central abuse registry; providing for background screening of home medical equipment provider personnel; providing penalties; providing screening procedures; providing for agency injunctions; prohibiting patient referrals and rebates; amending s. 400.464, F.S.; requiring licensure of a home infusion therapy provider as a home health agency; defining the term “home infusion therapy provider”; providing for application of the act to existing providers; providing an appropriation; providing an effective date.

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

CS for SB 2234—A bill to be entitled An act relating to public records; providing an exemption from the Public Records Law for certain information about patients who are customers of home medical equipment providers; providing an exemption from the Public Records Law for applicants for licensure as home medical equipment providers; providing an exemption from the Public Records Law for certain information about prospective employees of a home medical equipment provider; providing for future review and repeal of exemptions; providing findings of public necessity; providing a contingent effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Florida Board of Auctioneers Appointee: Cretul, Jimmy, Ocala	10/31/2000
Florida Corrections Commission Appointee: Sansom, Ray, Destin	06/30/2000
Board of Directors, Florida International Trade and Economic Development Board Appointee: Hendry, Robert Ryon, Winter Park	11/21/2000
Board of Hearing Aid Specialists Appointee: Currow, Neal C., Panama City	10/31/1997
Board of Opticianry Appointee: Rowley, Harry Clayton, Port Orange	10/31/1997
Public Employees Relations Commission Appointee: Gertz, Sally Caroline, Tallahassee	01/01/2001
Northeast Florida Regional Planning Council, Region 4 Appointee: Burney, Betty Seabrook, Jacksonville	10/01/1998
Board of Professional Surveyors and Mappers	

Office and Appointment

*For Term
Ending*

Appointee: Woodward, Charles George, Merritt Island 10/31/2000

[Referred to the Committee on Executive Business, Ethics and Elections.]

Governing Board of the Northwest Florida Water Management District
Appointees: Middlemas, John Robert, Jr., Southport 03/01/2001
Roberts, Charles W., Tallahassee 03/01/2001

Governing Board of the St. Johns River Water Management District
Appointee: Mason, Otis Alphonso, St. Augustine 03/01/2001

Governing Board of the Suwannee River Water Management District
Appointee: Howell, Maceo, Jr., Jennings 03/01/2001

[Referred to the Committees on Natural Resources; and Executive Business, Ethics and Elections.]

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 57 and requests the concurrence of the Senate.

John B. Phelps, Clerk

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

CS for HB 57—A bill to be entitled An act relating to environmental protection; amending s. 253.03, F.S.; prohibiting the control, regulation, permitting, or imposition of charges on certain severed materials; amending s. 369.20, F.S.; authorizing certain riparian owners to remove aquatic plants without certain permits under certain circumstances; exempting certain permits from certain water pollution operation permit requirements; amending s. 403.813, F.S.; exempting installation and repair of certain piers and docking facilities from certain permitting requirements; providing that certain environmental permits are not required for maintenance dredging of certain portions of natural water bodies within approved rights-of-way or drainage easements; providing limitations; specifying activities for which certain permits are not required under certain circumstances; prohibiting the Department of Environmental Protection from adopting certain rules; providing an effective date.

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

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 7 was corrected and approved.

CO-SPONSORS

Senators Campbell—SB 70; Cowin—SB 1638; Dyer—SB 70; Forman—SB 70, CS for SB 546; Harris—SJR 2286; Klein—SB 70, CS for SB’s 530 and 848, SB 1008; Kurth—SB 1842; Meadows—SB 70; Myers—SB 1044; Rossin—SB 70; Silver—SB 70; Sullivan—CS for SB 1312; Turner—SB 70

RECESS

On motion by Senator Bankhead, the Senate recessed at 6:00 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:00 p.m., Thursday, April 10.

**FLORIDA SENATE
TALLAHASSEE, FLORIDA 32399-1100**