



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President McKay at 2:00 p.m. in lieu of 9:00 a.m. A quorum present—39:

Mr. President	Dawson	Latvala	Rossin
Bronson	Diaz de la Portilla	Laurent	Sanderson
Brown-Waite	Dyer	Lawson	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Meek	Silver
Carlton	Holzendorf	Miller	Smith
Clary	Horne	Mitchell	Sullivan
Constantine	Jones	Peaden	Villalobos
Cowin	King	Posey	Wasserman Schultz
Crist	Klein	Pruitt	

Excused: Senator Webster; Senator Sullivan at 3:30 p.m.

## PRAYER

The following prayer was offered by the Rev. Troy Varnum, Pastor, First Baptist Church of Jasper:

Mighty God, we are thankful for the opportunity you have given us to freely express our devotion to you. This is the same freedom that allows us to enhance our minds and souls in the context of diversity and adversity. May you find our willingness to have our character sharpened and our commitment strengthened. We petition you for wisdom and the ability to not only say the right thing in the right place, but to leave unsaid the wrong thing in the wrong place.

Today, in our petitions we share a few of these prayer needs. We pray for Senator Webster's family in the loss of his mother. We pray for Senate Attorney Don Boggs' family in the loss of his father. We pray for the wife of Senator Ken Pruitt, Aileen Pruitt, during her time of illness and we also pray for LéJean Miller, daughter of Senator Les Miller in her time of illness. May the families of these folks experience your grace and love during this time of need in the fellowship of this body.

Also, allow us on this Secretary's Day to acknowledge the blessings you grant us through the skills and devotion of those who aid so significantly in the work of our businesses and institutions. On this day may we demonstrate to them your love and your grace.

In your name we pray. Amen.

## PLEDGE

Senate Pages Jonathan Bouchlas of Royal Palm Beach, Candace Riley of Tallahassee and James Fortinberry of Plant City, led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Michael Fletcher, sponsored by Senator Saunders, as doctor of the day. Dr. Fletcher specializes in Anesthesiology.

## MOMENT OF SILENCE

The President asked that the Senate observe a moment of silence in memory of Mildred Webster, mother of Senator Daniel Webster, who passed away April 21.

## ADOPTION OF RESOLUTIONS

On motion by Senator Sullivan—

By Senator Sullivan—

**SR 298**—A resolution recognizing April 22-29, 2001, as "Shaken Baby Syndrome Awareness Week."

WHEREAS, government figures show that more than 1 million children were victims of abuse and neglect in 1997, causing unspeakable pain and suffering to our most vulnerable citizens, and

WHEREAS, of the children who are victims of abuse and neglect, more than three die each day in this country, and

WHEREAS, the rate of child fatalities rose by 37 percent between 1985 and 1997, and children who were 3 years old or younger accounted for 77 percent of the fatalities, and

WHEREAS, the leading cause of death of abused children is head trauma, including the trauma known as Shaken Baby Syndrome, and

WHEREAS, Shaken Baby Syndrome, which results from a caregiver's losing control and shaking a baby, usually less than 1 year of age, and which can cause loss of vision, brain damage, paralysis, seizures, or death, is a totally preventable form of child abuse, and

WHEREAS, an estimated 3,000 children are diagnosed with Shaken Baby Syndrome every year, and thousands more are misdiagnosed and undetected, and

WHEREAS, Shaken Baby Syndrome often causes permanent, irreparable brain damage or death to an infant, and may result in more than \$1 million in medical costs for the care of a single disabled child during the first few years of life, and

WHEREAS, the most effective way to end Shaken Baby Syndrome is by preventing such abuse, and it is clear that the minimal costs of educational and preventive programs may avert enormous medical and disability costs and untold grief for many families, and

WHEREAS, prevention programs have been shown to raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, daycare workers, child protection employ-

ees, law enforcement personnel, health care professionals, and legal representatives, and

WHEREAS, prevention of Shaken Baby Syndrome is supported by groups such as the Shaken Baby Alliance, an organization started by three mothers of children who had been diagnosed with Shaken Baby Syndrome, and whose mission is to educate the general public and professionals about the syndrome and to increase support for victims and their families in the health care and criminal justice systems, and

WHEREAS, a year 2000 survey by Prevent Child Abuse America shows that half of all Americans believe that child abuse and neglect is the most important issue facing this country, compared to other public health issues, and

WHEREAS, the Florida Senate strongly supports efforts to protect children from abuse and neglect, NOW, THEREFORE,

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

That the Florida Senate recognizes the week of April 22-29, 2001, as "Shaken Baby Syndrome Awareness Week."

—was introduced out of order and read by title. On motion by Senator Sullivan, **SR 298** was read the second time in full and adopted.

On motion by Senator Lawson—

By Senators Lawson and Mitchell—

**SR 2184**—A resolution commending the North Florida Christian School football team for its 2000 football season.

WHEREAS, the North Florida Christian School Eagles football team, after suffering a defeat in their opening game, ended the 2000 regular season with a record of 8 and 1 and ultimately won 13 consecutive regular and post season games, a new school record, to win the district, regional, and state class 1A Championships, and

WHEREAS, the North Florida Christian School Eagles football team defeated Polk County's Fort Meade High School in the final seconds of the Class 1A championship game, on a pass from Robert Craft to Eugene Hampton, to win their third consecutive State Class 1A Championship, and their fourth in five seasons, and

WHEREAS, the members of the North Florida Christian School Eagles football team have set laudable examples by their performance on the football field, by their achievements in the classroom, and by their example as role models, as exemplified by Senior Josh Walker, who was recently recognized by the Florida High School Activities Association for attaining a grade point average of 4.066, and

WHEREAS, the North Florida Christian School Eagles football team, and particularly the 14 seniors, made the 2000 season special as they honored Christ on and off the gridiron, and

WHEREAS, the North Florida Christian School Eagles football team has brought honor and recognition to their school, their community, and this state, NOW, THEREFORE,

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

That the Florida Senate commends the North Florida Christian School Eagles football team, Head Coach Tim Cokely, Assistant Coaches David King, Sandy Davenport, Landon O'Connell, Matt Ray, Joe Roberts, Mark Johnson, and Billy Blair and trainer Phillip Burnett for their outstanding accomplishments in bringing the North Florida Christian School Eagles football team to state prominence and excellence in football and preparing them for life's journey.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to the North Florida Christian School Eagles football team and to Coach Tim Cokely as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Lawson, **SR 2184** was read the second time in full and adopted.

## SPECIAL GUESTS

Senator Lawson introduced Head Coach Tim Cokely and members of the coaching staff and team who were present in the gallery.

On motion by Senator Holzendorf—

By Senators Holzendorf, Lawson, Dawson, Miller, Jones and Meek—

**SR 2372**—A resolution expressing regret at the death of Douglas Lee "Tim" Jamerson, former State Representative, Commissioner of Education, and Secretary of Labor and Employment Security.

WHEREAS, the Florida Senate, with deep regret, has learned of the death of former Representative Douglas Lee Jamerson, and

WHEREAS, Representative Jamerson served with distinction in the Florida House of Representatives from 1982 until 1993 and later held the offices of Commissioner of Education and Secretary of the Department of Labor and Employment Security, and

WHEREAS, it is fitting that the Florida Senate commemorate the passing of an individual who served his district and the State of Florida so admirably, NOW, THEREFORE,

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

That the Florida Senate does pause in its deliberations to pay its respects to the late Douglas Lee "Tim" Jamerson, former State Representative, Commissioner of Education, and Secretary of the Department of Labor and Employment Security and that the Florida Senate in session assembled does record this testimonial of esteem and bereavement:

### IN MEMORIAM DOUGLAS LEE JAMERSON

Douglas Lee "Tim" Jamerson was born October 16, 1947, in St. Petersburg, Florida. He grew up in the poor St. Petersburg neighborhoods, attended Bishop Barry High School (now St. Petersburg Catholic), and graduated from St. Petersburg Junior College, the University of South Florida, and the St. Petersburg Police Academy. After his honorable discharge from the United States Air Force, at the rank of Staff Sergeant, he was employed for many years in the Pinellas County school system. Beginning in 1982, Mr. Jamerson served 5-1/2 terms in the House of Representatives. Subsequently, Governor Lawton Chiles appointed him state Commissioner of Education, and, in 1995, Governor Chiles made him Secretary of Labor. Mr. Jamerson achieved many marvelous feats in his high-level state positions, including designing and implementing the system that allowed former welfare recipients to become employed, re-engineering the unemployment-tax design system for the state, establishing the state's distance learning project, and securing funds for the Safe School Program. In addition to his many professional achievements, he remained intensely interested in the welfare of his hometown, as evidenced by his personally intervening to defuse racial tensions in St. Petersburg in 1996. During that time, Doug Jamerson walked the streets of his city and calmed angry crowds through his persuasiveness. Although, to the end of his life, Douglas Jamerson spoke of his next anticipated political move; gave public speeches; and, several times a month, visited the poor St. Petersburg neighborhoods where he grew up, he nevertheless bravely withheld news of his illness from virtually everyone who knew him. On April 21, the cancer that he had fought for several years claimed his life at the age of 53, leaving as his closest survivors: his wife, Leatha Young Jamerson; his son, Cedric Alexander Jamerson; his mother and stepfather, Neva J. and Rue McGill; his sisters, Terecina Rice and Donna Jamerson; and his brother, Michael Jamerson. Many who served with him praised his accomplishments and mourned his unfulfilled promise, including Representative Frank Peterman, who said: "For me, Doug Jamerson was the quintessential politician and statesman. And he was the ultimate African-American government official from St. Petersburg, and also probably the state of Florida. He represented all that is right in public service." Former St. Petersburg Mayor David Fischer declared: "He's certainly one of the political pioneers of the African-American community. I never heard an unkind statement about him or his work. There was nothing but respect." By these and many other associates and friends, as well as his beloved family, Tim Jamerson will be sorely missed.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate, be transmitted to Mrs. Leatha Jamerson, widow of Douglas Jamerson, as a tangible token of the sentiments expressed herein and a lasting symbol of the respect of the members of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Holzendorf, **SR 2372** was read the second time in full and adopted. The vote was:

Yeas—39

Mr. President	Dawson	Latvala	Rossin
Bronson	Diaz de la Portilla	Laurent	Sanderson
Brown-Waite	Dyer	Lawson	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Meek	Silver
Carlton	Holzendorf	Miller	Smith
Clary	Horne	Mitchell	Sullivan
Constantine	Jones	Peaden	Villalobos
Cowin	King	Posey	Wasserman Schultz
Crist	Klein	Pruitt	

Nays—None

#### CO-SPONSORS

On motion by Senator King, all Senators, not previously shown as co-sponsors, were recorded as co-sponsors of **SR 2372**.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote **CS for CS for SB 1178**, **CS for SB 876**, **CS for SB 892**, **SB 1142**, **CS for CS for SB 1376**, **CS for SB 1410**, **SB 1428**, **CS for SB 1576**, **CS for SB 1662**, **CS for SB 1744**, **CS for SB 1922**, **SB 2204** and **SB 2240** were withdrawn from the Committees on Appropriations Subcommittee on General Government and Appropriations; **SB 2308**, **CS for SB 448**, **CS for SB 1026**, **SB 1060**, **SB 1062**, **SB 1314**, **SB 1420** and **CS for SB 1558** were withdrawn from the Committee on Rules and Calendar; **CS for CS for SB 144**, **SB 918**, **CS for CS for SB 1038**, **CS for SB 1318**, **CS for SB 1348**, **SB 1444**, **CS for SB 1528**, **CS for SB 1778**, **CS for SB's 1864 and 2086** and **CS for SB 1932** were withdrawn from the Committees on Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations; **SB 414** and **SB 1766** were withdrawn from the Committees on Governmental Oversight and Productivity; and Rules and Calendar; **SB 638**, **CS for SB 988**, **CS for SB's 1254 and 1954**, **CS for SB 1872** and **CS for SB 2054** were withdrawn from the Committees on Appropriations Subcommittee on Education; and Appropriations; **CS for CS for SB 710** was withdrawn from the Committee on Appropriations; **SB 768**, **CS for SB 1466** and **CS for SB 2234** were withdrawn from the Committee on Governmental Oversight and Productivity; **CS for SB 894** was withdrawn from the Committees on Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar; **CS for SB 1084** was withdrawn from the Committee on Banking and Insurance; **CS for SB 1296** was withdrawn from the Committee on Judiciary; **SB 1950** and **CS for SB 2158** were withdrawn from the Committee on Education; **SB 2166** was withdrawn from the Committee on Criminal Justice; and **CS for SB 2220** was withdrawn from the Committee on Finance and Taxation.

On motion by Senator Horne, by two-thirds vote **SB 1650** which has been reported favorably by the Appropriations Subcommittee on Health and Human Services with amendments, was withdrawn from the Committee on Appropriations and the amendments recommended by the subcommittee will be shown as offered by the Committee on Appropriations; **CS for SB 1310** which has been reported favorably by the Appropriations Subcommittee on Public Safety and Judiciary with amendment, was withdrawn from the Committee on Appropriations and the amendment recommended by the subcommittee will be shown as offered by the Committee on Appropriations; **SB 770** which has been reported favorably by the Appropriations Subcommittee on General Government with amendments, was withdrawn from the Committee on Appropriations and the amendments recommended by the subcommittee will be shown as offered by the Committee on Appropriations; and **CS for CS for SB 1196** which has been reported favorably by the Appropriations

Subcommittee on Public Safety and Judiciary with committee substitute, was withdrawn from the Committee on Appropriations and the committee substitute recommended by the subcommittee will be shown as offered by the Committee on Appropriations.

By direction of the President, the rules were waived and the Senate proceeded to—

#### SPECIAL ORDER CALENDAR

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

**CS for CS for SB 2108**—A bill to be entitled An act relating to education governance reorganization; amending s. 240.3836, F.S.; providing legislative intent; providing a process for authorizing community colleges to offer baccalaureate degree programs; amending s. 240.527, F.S.; requiring a Campus Board of the University of South Florida St. Petersburg; requiring separate accreditation; providing powers and duties of the Campus Board and the Campus Executive Officer; providing a procedure for preparing a budget request; providing for central support services contracts and a letter of agreement; excluding certain entities from certain provisions; amending s. 240.2011, F.S.; adding to the State University System the New College in Sarasota; creating fiscally autonomous campuses of the University of South Florida; requiring a Campus Board of the University of South Florida Sarasota/Manatee; authorizing separate accreditation; providing powers and duties of the Campus Board and the Campus Executive Officer; providing a procedure for preparing a budget request; providing for central-support-services contracts and a letter of agreement; establishing a mission, goals, and board of trustees for New College of Florida; providing Legislative intent; redesignating St. Petersburg Junior College as "St. Petersburg College"; requiring accreditation; providing a mission; providing for students and fees; providing conditional authority to offer baccalaureate-degree-level programs; authorizing certain baccalaureate-degree programs and a process for increasing their number; establishing a governing board and a coordinating board; providing for dispute resolution; providing for certain employment classifications; providing for the acquisition of land, buildings, and equipment; authorizing the power of eminent domain; providing for state funding; requiring a cost-accounting process; amending s. 229.001, F.S.; revising a short title to delete obsolete language; amending s. 229.002, F.S.; revising the policy and guiding principles of the Legislature relating to education governance; amending s. 229.003, F.S.; revising the timeframe for education governance reorganization; revising the titles of the education governance officers; revising the name of the Florida On-Line High School to conform with changes made by the bill; revising the membership of university boards of trustees; abolishing the Board of Regents, the State Board of Community Colleges, and the Postsecondary Education Planning Commission; transferring the powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, other funds, administrative authority, administrative rules, pending issues, and existing contracts of the Board of Regents to the Florida Board of Education, of the State Board of Community Colleges to the Florida Board of Education, and of the Postsecondary Education Planning Commission to the Education K-20 Policy and Research Council, respectively; creating the Education K-20 Policy and Research Council within the Department of Education; transferring the Articulation Coordinating Committee and the Education Standards Commission by a type two transfer from the Department of Education to the Florida Board of Education; requiring the Commissioner of Education to commence reorganization of the department and specifying offices and divisions; requiring the merger of the powers, duties, and staffs of the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education, with an exception, into a single Commission for Independent Education; creating s. 229.0031, F.S.; creating the Education K-20 Policy and Research Council; establishing the membership and duties of the council; providing for the appointment and employment of an executive director; amending s. 229.004, F.S.; revising the timeframe for the creation of the Florida Board of Education; deleting the requirement that the board be part time; revising the duties and responsibilities of the board; conforming terminology with changes made by the bill; providing cross-references to newly created missions and goals and guidelines; amending s. 229.005, F.S.; revising provisions relating to qualifications of Florida education governance officers to conform terminology to changes made by the bill and to provide cross-references to newly created missions and goals; requiring the Commissioner of Education to work with

the board and oversee the chancellors and the executive director and to serve as chief executive officer of the seamless K-20 education system; deleting references to requirements of the Florida Constitution relating to education; requiring the Chancellor of Public Schools, the Chancellor of Colleges and Universities, the Chancellor of Community Colleges, and the Executive Director of Independent Education to work as division vice presidents of the seamless K-20 education system; revising the name of the Florida On-Line High School to conform with changes made by the bill; amending s. 229.006, F.S.; deleting obsolete language relating to the creation and the already accomplished duties of the Education Governance Reorganization Transition Task Force; revising the timeframe for the reorganization; requiring the task force to provide guidance and monitoring of the reorganization implementation process and to report to the Governor, the Legislature, the Secretary of the Florida Board of Education, and the public on its progress; revising the timeframe and recipients of the final report of the task force; creating s. 229.0061, F.S.; establishing guidelines for the implementation, structure, functions, and organization of Florida's K-20 education system; creating s. 229.007, F.S.; establishing Florida's K-20 education performance accountability system; providing legislative intent; establishing the mission and goals and systemwide measures; requiring proposals and an implementation schedule for performance-based funding; creating s. 229.0072, F.S.; establishing a reorganization implementation process; requiring the Governor to appoint university boards of trustees, a Florida Board of Education and a Secretary of the Florida Board of Education; establishing duties of the Florida Board of Education relating to the transition and implementation of the K-20 system; requiring the Commissioner of Education to work with the Florida Board of Education to achieve full implementation of the seamless K-20 system and to commence reorganization of the department as required by the act; requiring the Florida Board of Education to appoint advisory bodies as necessary, and develop and recommend to the Legislature a new School Code; creating s. 229.0073, F.S.; directing the Commissioner of Education to work with the Florida Board of Education to reorganize the Department of Education as provided by the act; creating s. 229.0074, F.S.; establishing the mission of the Division of Independent Education; providing duties of the executive director; combining and transferring the powers and duties of the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education, with an exception, to the Commission for Independent Education; providing duties of the commission; providing composition of the Commission for Independent Education; creating s. 229.008, F.S.; providing for establishment and membership of boards of trustees of universities in the State University System; creating s. 229.0081, F.S.; establishing powers and duties of university boards of trustees; creating s. 229.0082, F.S.; establishing powers and duties of university presidents; creating s. 229.0083, F.S.; transferring the Partnership for School Readiness from the Executive Office of the Governor to the Agency for Workforce Innovation; revising the name of the Florida On-Line High School to the Florida Virtual High School, which school shall be housed within the Commissioner of Education's Office of Technology and Information Services and monitored by the commissioner; stating the mission of the Florida Virtual High School; deleting obsolete language; revising the duties of the school's board of trustees; requiring the Department of Education to maximize federal indirect cost allowed on federal grants; requiring appropriation for expenditure of funds received from indirect cost allowance; repealing s. 229.0865, F.S., relating to the Knott Data Center and projects, contracts, and grants; amending s. 229.085, F.S.; removing an exemption for personnel employed by projects funded by contracts and grants; repealing ss. 240.145, 240.147, 240.209(2), 240.227, 240.307, and 240.311(4), F.S., relating to the Post-secondary Education Planning Commission, the powers and duties of the commission, the Board of Regents appointment of a Chancellor of the State University System, powers and duties of university presidents, the appointment of members of the State Board of Community Colleges, and the appointment of an executive director of the community college system; repealing s. 235.217(1)(b), (c), and (d), (3)(a), (c), (d), and (e), and (2), (4), and (5), F.S., relating to the SMART Schools Clearinghouse; providing effective dates.

—was read the second time by title.

Senator Klein moved the following amendment which failed:

**Amendment 1 (171500)(with title amendment)**—On page 44, lines 23-30, delete those lines and insert:

(1) COMMISSIONER OF EDUCATION.—The Commissioner of Education shall be appointed by the Florida Board of Education, *subject to*

*confirmation by the Senate. Prior to appointment as commissioner, the appointee shall have had, within the prior 10 years, at least 5 years experience in the field of education, 3 years of which shall have been in public education administration as a school board member, senior school district administrator, superintendent of schools, community college or university president or senior administrator, state department of education senior administrator or higher, or a commissioner, chancellor or secretary of a state education system. The commissioner shall work with the Florida Board of Education and oversee the other education governance officers to focus from candidates of national caliber and respected and proven organizational leadership with established experience in administering broad-based policy. The commissioner shall be a person who is eminently capable of focusing the entire*

And the title is amended as follows:

On page 4, line 3, after the semicolon (;) insert: providing for the Commissioner of Education to be appointed by the Florida Board of Education, subject to confirmation by the Senate;

Senator Lawson moved the following amendment which was adopted:

**Amendment 2 (114696)**—On page 64, between lines 20 and 21, insert:

(o) *Serve as the successor for all collective bargaining agreements currently in effect with the Board of Regents.*

Senator Klein moved the following amendments which failed:

**Amendment 3 (731356)**—On page 66, lines 16-28, delete those lines and insert:

(c) *Division of State Colleges and Universities.—The state's public universities and 4-year colleges to coordinate long-range statewide planning. The division shall be primarily responsible for articulating statewide needs to and from the state's public colleges and universities and the Commissioner of Education to avoid wasteful duplication of academic programs. To this end, the Chancellor, in consultation with the Commissioner of Education, shall determine a method by which to receive proposed university rules for the purposes of providing recommendations toward coordinated university efforts. The division shall also seek to enable more effective articulation between public postsecondary institutions and those private colleges and universities that grant baccalaureate degrees, are located in and chartered by the state, and are accredited by the Commission of Colleges of the Southern Colleges and Schools in order to provide the most efficient and effective outcomes to the state university system.*

**Amendment 4 (874176)(with title amendment)**—On page 69, line 21 through page 71, line 8, delete those lines and renumber subsequent subsections.

And the title is amended as follows:

On page 6, lines 4 and 5, delete those lines and insert: of Independent Education; combining and

Senator Miller moved the following amendment:

**Amendment 5 (984382)**—On page 73, lines 17-25, delete those lines and insert:

(1)(a) *Effective July 1, 2001, and no later than November 1, 2001, the Governor shall appoint a 10-member board of trustees for each university in the State University System. The trustees shall be subject to confirmation by the Senate. In addition, the student body president at each university shall serve as a voting member of his or her university board of regents. Members of the boards of regents shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061.*

Senators Miller, Constantine and Wasserman Schultz offered the following substitute amendment which was moved by Senator Miller and adopted:

**Amendment 6 (145176)**—On page 73, lines 17-25, delete those lines and insert:

(1)(a) *Effective July 1, 2001, and no later than November 1, 2001, the Governor shall appoint an 11-member board of trustees for each univer-*

city in the State University System. The student body president shall serve as a voting member of the 11-member board of his or her university. The trustees shall be subject to confirmation by the Senate. Members of the boards of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061.

#### MOTION

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

Senator Pruitt moved the following amendment which was adopted:

**Amendment 7 (275724)**—On page 34, line 28, after “Education” insert: *and the Secretary of the Florida Board of Education*

#### MOTION

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

Senator Miller moved the following amendment which was adopted:

**Amendment 8 (681190)**—On page 35, line 25, delete “nonvoting,” and insert: *voting*

#### MOTION

On motion by Senator Pruitt, the rules were waived to allow the following amendments to be considered:

Senator Pruitt moved the following amendments which were adopted:

**Amendment 9 (381314)**—On page 36, lines 14 and 24, after “Education” insert: *to be administered by the Secretary of the Florida Board of Education*

**Amendment 10 (482990)**—On page 37, line 8, after “Education” insert: *and the Secretary of the Florida Board of Education, in partnership,*

**Amendment 11 (400252)**—On page 39, line 29, after “terms” insert: *, three shall be appointed for 2-year terms, three shall be appointed for 3-year terms,*

**Amendment 12 (570288)**—On page 42, lines 27 and 28, delete those lines and insert: *Legislature. The board, its secretary, and the commissioner, in partnership, shall establish, operate, and maintain optimal*

**Amendment 13 (385042)**—On page 45, line 9, after “system” insert: *; however, for the period from July 1, 2001, until January 7, 2003, the commissioner shall continue to be primarily responsible for K-12 policies and issues*

**Amendment 14 (892656)**—On page 48, line 25, after “Legislature,” insert: *the Commissioner of Education,*

**Amendment 15 (094736)**—On page 62, between lines 25 and 26, insert:

*(e) Be primarily responsible for higher education policies and issues for the period from July 1, 2001, until January 7, 2003.*

**Amendment 16 (270314)(with title amendment)**—On page 93, line 22, after “240.147,” insert: *240.205,*

And the title is amended as follows:

On page 7, lines 10 - 13, delete those lines and insert: *240.145, 240.147, 240.205, 240.209(2), 240.227, 240.307, and 240.311(4), F.S., relating to the Postsecondary Education Planning Commission, the powers and duties of the commission, creation of the Board of Regents as a body corporate, the*

**Amendment 17 (102070)**—In title, on page 4, lines 9 and 10, delete those lines and insert: *to*

Senator Klein moved the following amendment which failed:

**Amendment 18 (784306)**—On page 35, lines 26-28, delete those lines and insert: *trustees. A board member must be a state resident or an*

*alumnus of the university for which board the member is appointed. All members of the*

Senator Klein moved the following amendment which was adopted:

**Amendment 19 (912430)**—On page 62, line 4, after the period (.) insert: *Appointees to the board shall be residents of the State of Florida and are subject to confirmation by the Senate.*

Pursuant to Rule 4.19, **CS for CS for SB 2108** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

#### SENATOR ROSSIN PRESIDING

On motion by Senator Sebesta—

**SB 1162**—A bill to be entitled An act relating to the Florida Prepaid College Program; amending s. 240.551, F.S.; revising the accreditation requirements for independent college or university eligibility purposes; clarifying that the amount of benefits transferred to an eligible independent college or university, an eligible out-of-state college or university, an applied technology diploma program or vocational certificate program, or refunded to a purchaser shall not exceed the redemption value of the advance payment contract at a Florida public postsecondary education institution; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendment which was moved by Senator Sebesta:

**Amendment 1 (022600)(with title amendment)**—On page 2, line 7 through page 4, line 8, delete those lines and insert: *payment contract at within a state postsecondary institution. If the cost of registration or housing fees at the independent college or university is less than the corresponding fees at a state postsecondary institution, the amount transferred shall not exceed the actual cost of registration or housing fees. A transfer authorized under this paragraph may not exceed the number of semester credit hours or semesters of dormitory residence contracted on behalf of a qualified beneficiary.*

(b) An eligible out-of-state college or university. An out-of-state college or university that is not for profit and is accredited by a regional accrediting association, and that confers degrees, is eligible for such application. The board shall transfer, or cause to have transferred, an amount not to exceed the redemption value of the advance payment contract *at a state postsecondary institution or the original purchase price plus 5 percent compounded interest, whichever is less, after assessment of a reasonable transfer fee.* If the cost of registration or housing fees charged the qualified beneficiary at the eligible out-of-state college or university is less than this calculated amount, the amount transferred shall not exceed the actual cost of registration or housing fees. Any remaining amount shall be transferred in subsequent semesters until the transfer value is depleted. A transfer authorized under this paragraph may not exceed the number of semester credit hours or semesters of dormitory residence contracted on behalf of a qualified beneficiary.

(c) An applied technology diploma program or vocational certificate program conducted by a community college listed in s. 240.3031 or an area technical center operated by a district school board. The board shall transfer or cause to be transferred to the community college or area technical center designated by the qualified beneficiary an amount not to exceed the redemption value of the advance payment contract *at within a state postsecondary institution.* If the cost of the fees charged by the college or center, as authorized in s. 239.117, is less than the corresponding fees at a state postsecondary institution, the amount transferred may not exceed the actual cost of the fees. A transfer authorized under this paragraph may not exceed the number of semester credit hours contracted on behalf of a qualified beneficiary.

Notwithstanding any other provision in this section, an institution must be an “eligible educational institution” under s. 529 of the Internal Revenue Code to be eligible for the transfer of advance payment contract benefits.

## (13) REFUNDS.—

(b) If the beneficiary is awarded a scholarship, the terms of which cover the benefits included in the advance payment contracts, moneys paid for the purchase of the advance payment contracts shall be ~~refunded returned~~ to the purchaser in semester installments coinciding with the matriculation by the beneficiary in an amount which, in total, does not exceed the redemption value of the advance payment contract at a state postsecondary institution ~~amounts of either the original purchase price plus 5 percent compounded interest, or the current rates at state postsecondary institutions, whichever is less.~~

(c) In the event of the death or total disability of the beneficiary, moneys paid for the purchase of advance payment contracts shall be ~~refunded returned~~ to the purchaser in an amount not to exceed the redemption value of the advance payment contract at a state postsecondary institution.

And the title is amended as follows:

On page 1, lines 13 and 14, delete those lines and insert: contract at a state postsecondary institution; providing an effective

**MOTION**

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

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

**Amendment 2 (172402)(with title amendment)**—On page 1, line 19 through page 4, line 11, delete those lines and insert:

Section 1. Subsection (10), paragraph (e) of subsection (11), and paragraphs (b) and (c) of subsection (13) of section 240.551, Florida Statutes, are amended, and subsection (23) is added to that section, to read:

240.551 Florida Prepaid College Program.—

(10) TRANSFER OF BENEFITS TO PRIVATE AND OUT-OF-STATE COLLEGES AND UNIVERSITIES AND TO AREA TECHNICAL CENTERS.—A qualified beneficiary may apply the benefits of an advance payment contract toward:

(a) Any eligible independent college or university. An independent college or university that is located and chartered in Florida, that is not for profit, that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Commission of the Association of Independent Colleges and Schools, and that confers degrees as defined in s. 246.021, is eligible for such application. The board shall transfer, or cause to have transferred, to the eligible independent college or university designated by the qualified beneficiary an amount not to exceed the redemption value of the advance payment contract ~~at within~~ a state postsecondary institution. If the cost of registration or housing fees at the independent college or university is less than the corresponding fees at a state postsecondary institution, the amount transferred shall not exceed the actual cost of registration or housing fees. A transfer authorized under this paragraph may not exceed the number of semester credit hours or semesters of dormitory residence contracted on behalf of a qualified beneficiary.

(b) An eligible out-of-state college or university. An out-of-state college or university that is not for profit and is accredited by a regional accrediting association, and that confers degrees, is eligible for such application. The board shall transfer, or cause to have transferred, an amount not to exceed the redemption value of the advance payment contract ~~at a state postsecondary institution or the original purchase price plus 5 percent compounded interest, whichever is less, after assessment of a reasonable transfer fee.~~ If the cost of registration or housing fees charged the qualified beneficiary at the eligible out-of-state college or university is less than this calculated amount, the amount transferred shall not exceed the actual cost of registration or housing fees. Any remaining amount shall be transferred in subsequent semesters until the transfer value is depleted. A transfer authorized under this paragraph may not exceed the number of semester credit hours or semesters of dormitory residence contracted on behalf of a qualified beneficiary.

(c) An applied technology diploma program or vocational certificate program conducted by a community college listed in s. 240.3031 or an area technical center operated by a district school board. The board shall transfer or cause to be transferred to the community college or area technical center designated by the qualified beneficiary an amount not to exceed the redemption value of the advance payment contract ~~at within~~ a state postsecondary institution. If the cost of the fees charged by the college or center, as authorized in s. 239.117, is less than the corresponding fees at a state postsecondary institution, the amount transferred may not exceed the actual cost of the fees. A transfer authorized under this paragraph may not exceed the number of semester credit hours contracted on behalf of a qualified beneficiary.

Notwithstanding any other provision in this section, an institution must be an "eligible educational institution" under s. 529 of the Internal Revenue Code to be eligible for the transfer of advance payment contract benefits.

(11) ADVANCE PAYMENT CONTRACTS; CONTENTS.—The board shall construct advance payment contracts for registration and may construct advance payment contracts for dormitory residence as provided in this section. Advance payment contracts constructed for the purposes of this section shall be exempt from chapter 517 and the Florida Insurance Code. Such contracts shall include, but not be limited to, the following:

(e) Except for an advance payment contract entered into pursuant to subsection (22) *or subsection (23)*, the name and date of birth of the qualified beneficiary on whose behalf the contract is drawn and the terms and conditions under which another person may be substituted as the qualified beneficiary.

## (13) REFUNDS.—

(b) If the beneficiary is awarded a scholarship, the terms of which cover the benefits included in the advance payment contracts, moneys paid for the purchase of the advance payment contracts shall be ~~refunded returned~~ to the purchaser in semester installments coinciding with the matriculation by the beneficiary in an amount which, in total, does not exceed the redemption value of the advance payment contract at a state postsecondary institution ~~amounts of either the original purchase price plus 5 percent compounded interest, or the current rates at state postsecondary institutions, whichever is less.~~

(c) In the event of the death or total disability of the beneficiary, moneys paid for the purchase of advance payment contracts shall be ~~refunded returned~~ to the purchaser in an amount not to exceed the redemption value of the advance payment contract at a state postsecondary institution ~~together with 5 percent compounded interest, or the current rates at state postsecondary institutions, whichever is less.~~

(23) SCHOLARSHIPS.—A nonprofit organization described in s. 501 (c)(3) of the United States Internal Revenue Code and exempt from taxation under s. 501(a) of the United States Internal Revenue Code may purchase advance payment contracts for a scholarship program that has been approved by the board and is operated by the purchasing organization.

And the title is amended as follows:

On page 1, lines 13 and 14, delete those lines and insert: contract at a state postsecondary institution; authorizing the purchase of advance payment contracts for scholarships by nonprofit organizations; providing an effective

**MOTION**

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

Senator Sebesta moved the following amendment:

**Amendment 3 (683836)(with title amendment)**—On page 1, line 19 through page 4, line 11, delete those lines and insert:

Section 1. Subsection (10), paragraphs (b) and (c) of subsection (13), and paragraph (e) of subsection (22) of section 240.551, Florida Statutes, are amended to read:

## 240.551 Florida Prepaid College Program.—

(10) TRANSFER OF BENEFITS TO PRIVATE AND OUT-OF-STATE COLLEGES AND UNIVERSITIES AND TO AREA TECHNICAL CENTERS.—A qualified beneficiary may apply the benefits of an advance payment contract toward:

(a) Any eligible independent college or university. An independent college or university that is located and chartered in Florida, that is not for profit, that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Commission of the Association of Independent Colleges and Schools, and that confers degrees as defined in s. 246.021, is eligible for such application. The board shall transfer, or cause to have transferred, to the eligible independent college or university designated by the qualified beneficiary an amount not to exceed the redemption value of the advance payment contract ~~at within a Florida public state postsecondary education institution. If the cost of registration or housing fees at the independent college or university is less than the corresponding fees at a state postsecondary institution, the amount transferred shall not exceed the actual cost of registration or housing fees. A transfer authorized under this paragraph may not exceed the number of semester credit hours or semesters of dormitory residence contracted on behalf of a qualified beneficiary.~~

(b) An eligible out-of-state college or university. An out-of-state college or university that is not for profit and is accredited by a regional accrediting association, and that confers degrees, is eligible for such application. The board shall transfer, or cause to have transferred, an amount not to exceed the redemption value of the advance payment contract ~~at a Florida public postsecondary education institution or the original purchase price plus 5 percent compounded interest, whichever is less, after assessment of a reasonable transfer fee.~~ If the cost of registration or housing fees charged the qualified beneficiary at the eligible out-of-state college or university is less than this calculated amount, the amount transferred shall not exceed the actual cost of registration or housing fees. Any remaining amount shall be transferred in subsequent semesters until the transfer value is depleted. A transfer authorized under this paragraph may not exceed the number of semester credit hours or semesters of dormitory residence contracted on behalf of a qualified beneficiary.

(c) An applied technology diploma program or vocational certificate program conducted by a community college listed in s. 240.3031 or an area technical center operated by a district school board. The board shall transfer or cause to be transferred to the community college or area technical center designated by the qualified beneficiary an amount not to exceed the redemption value of the advance payment contract ~~at within a Florida public state postsecondary education institution. If the cost of the fees charged by the college or center, as authorized in s. 239.117, is less than the corresponding fees at a state postsecondary institution, the amount transferred may not exceed the actual cost of the fees. A transfer authorized under this paragraph may not exceed the number of semester credit hours contracted on behalf of a qualified beneficiary.~~

Notwithstanding any other provision in this section, an institution must be an “eligible educational institution” under s. 529 of the Internal Revenue Code to be eligible for the transfer of advance payment contract benefits.

## (13) REFUNDS.—

(b) If the beneficiary is awarded a scholarship, the terms of which cover the benefits included in the advance payment contracts, moneys paid for the purchase of the advance payment contracts shall be ~~refunded returned~~ to the purchaser in semester installments coinciding with the matriculation by the beneficiary in *an amount which, in total, does not exceed the redemption value of the advance payment contract at a Florida public postsecondary education institution* ~~amounts of either the original purchase price plus 5 percent compounded interest, or the current rates at state postsecondary institutions, whichever is less.~~

(c) In the event of the death or total disability of the beneficiary, moneys paid for the purchase of advance payment contracts shall be ~~refunded returned~~ to the purchaser *in an amount not to exceed the redemption value of the advance payment contract at a Florida public postsecondary education institution* ~~together with 5 percent compounded~~

~~interest, or the current rates at state postsecondary institutions, whichever is less.~~

## (22) DIRECT-SUPPORT ORGANIZATION; AUTHORITY.—

(e) The chair and the executive director of the board shall be directors of the direct-support organization and shall jointly name, *at a minimum*, three other individuals to serve as directors of the organization.

And the title is amended as follows:

On page 1, line 14, after the semicolon (;) insert: providing for the appointment of additional members as directors of the direct-support organization;

Senator Sebesta moved the following substitute amendment which was adopted:

**Amendment 4 (511362)(with title amendment)**—On page 1, line 19 through page 4, line 11, delete those lines and insert:

Section 1. Subsection (10), paragraphs (b) and (c) of subsection (13), and paragraph (e) of subsection (22) of section 240.551, Florida Statutes, are amended to read:

## 240.551 Florida Prepaid College Program.—

(10) TRANSFER OF BENEFITS TO PRIVATE AND OUT-OF-STATE COLLEGES AND UNIVERSITIES AND TO AREA TECHNICAL CENTERS.—A qualified beneficiary may apply the benefits of an advance payment contract toward:

(a) Any eligible independent college or university. An independent college or university that is located and chartered in Florida, that is not for profit, that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Commission of the Association of Independent Colleges and Schools, and that confers degrees as defined in s. 246.021, is eligible for such application. The board shall transfer, or cause to have transferred, to the eligible independent college or university designated by the qualified beneficiary an amount not to exceed the redemption value of the advance payment contract ~~at within a state postsecondary institution. If the cost of registration or housing fees at the independent college or university is less than the corresponding fees at a state postsecondary institution, the amount transferred shall not exceed the actual cost of registration or housing fees. A transfer authorized under this paragraph may not exceed the number of semester credit hours or semesters of dormitory residence contracted on behalf of a qualified beneficiary.~~

(b) An eligible out-of-state college or university. An out-of-state college or university that is not for profit and is accredited by a regional accrediting association, and that confers degrees, is eligible for such application. The board shall transfer, or cause to have transferred, an amount not to exceed the redemption value of the advance payment contract ~~at a state postsecondary institution or the original purchase price plus 5 percent compounded interest, whichever is less, after assessment of a reasonable transfer fee.~~ If the cost of registration or housing fees charged the qualified beneficiary at the eligible out-of-state college or university is less than this calculated amount, the amount transferred shall not exceed the actual cost of registration or housing fees. Any remaining amount shall be transferred in subsequent semesters until the transfer value is depleted. A transfer authorized under this paragraph may not exceed the number of semester credit hours or semesters of dormitory residence contracted on behalf of a qualified beneficiary.

(c) An applied technology diploma program or vocational certificate program conducted by a community college listed in s. 240.3031 or an area technical center operated by a district school board. The board shall transfer or cause to be transferred to the community college or area technical center designated by the qualified beneficiary an amount not to exceed the redemption value of the advance payment contract ~~at within a state postsecondary institution. If the cost of the fees charged by the college or center, as authorized in s. 239.117, is less than the corresponding fees at a state postsecondary institution, the amount transferred may not exceed the actual cost of the fees. A transfer authorized under this paragraph may not exceed the number of semester credit hours contracted on behalf of a qualified beneficiary.~~

Notwithstanding any other provision in this section, an institution must be an "eligible educational institution" under s. 529 of the Internal Revenue Code to be eligible for the transfer of advance payment contract benefits.

(13) REFUNDS.—

(b) If the beneficiary is awarded a scholarship, the terms of which cover the benefits included in the advance payment contracts, moneys paid for the purchase of the advance payment contracts shall be ~~refunded returned~~ to the purchaser in semester installments coinciding with the matriculation by the beneficiary in *an amount which, in total, does not exceed the redemption value of the advance payment contract at a state postsecondary institution* ~~amounts of either the original purchase price plus 5 percent compounded interest, or the current rates at state postsecondary institutions, whichever is less.~~

(c) In the event of the death or total disability of the beneficiary, moneys paid for the purchase of advance payment contracts shall be ~~refunded returned~~ to the purchaser in *an amount not to exceed the redemption value of the advance payment contract at a state postsecondary institution* ~~together with 5 percent compounded interest, or the current rates at state postsecondary institutions, whichever is less.~~

(22) DIRECT-SUPPORT ORGANIZATION; AUTHORITY.—

(e) The chair and the executive director of the board shall be directors of the direct-support organization and shall jointly name, *at a minimum*, three other individuals to serve as directors of the organization.

And the title is amended as follows:

On page 1, lines 13 and 14, delete those lines and insert: contract at a state postsecondary institution; providing for the appointment of additional members as directors of the direct-support organization; providing an effective

Pursuant to Rule 4.19, **SB 1162** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Latvala—

**CS for SB 1610**—A bill to be entitled An act relating to funeral and cemetery services; amending s. 497.003, F.S.; revising references relating to need determinations; amending s. 497.005, F.S.; providing and revising definitions; amending s. 497.201, F.S.; increasing minimum acreage requirements to establish a cemetery company; eliminating need determinations for new cemeteries; clarifying provisions governing authorized trust companies, banks, and savings and loan associations; revising experience requirements for the general manager of a cemetery company; amending s. 497.237, F.S.; authorizing care and maintenance trust funds to be established with a federal savings and loan association holding trust powers in this state; amending s. 497.245, F.S.; revising provisions governing burial rights; amending s. 497.253, F.S.; revising minimum acreage requirements and references, to conform; revising requirements for sale or disposition of certain cemetery lands, to conform; repealing s. 497.353(12), F.S., relating to prohibiting the use in need determinations of spaces or lots from burial rights reacquired by a cemetery, to conform; amending s. 497.405, F.S.; clarifying provisions relating to authorized trust companies, banks, and savings and loan associations; amending s. 497.417, F.S.; clarifying provisions relating to authorized trust companies, banks, and savings and loan associations; revising the authority of certificateholders offering preneed funeral and burial merchandise and services contracts to revest title to trust assets by posting a bond or using other forms of security or insurance; providing a time limitation on such authority; amending s. 497.425, F.S.; providing a time limitation on the authority to post certain bonds to secure preneed contract assets; amending s. 497.429, F.S.; clarifying provisions relating to authorized trust companies, banks, and savings and loan associations with respect to alternative preneed contracts; amending s. 470.002, F.S.; redefining the term "legally authorized person" for purposes of ch. 470, F.S.; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1610** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1672** and **SB 1132** was deferred.

On motion by Senator Mitchell—

**CS for SB 1172**—A bill to be entitled An act relating to the state group health insurance and prescription drug programs; creating s. 110.1228, F.S.; authorizing specified local governmental entities to apply for participation; providing eligibility requirements for enrollment; exempting the program from ss. 624.436-624.446, F.S., relating to multiple-employer welfare arrangements; authorizing the Department of Management Services to adopt rules; providing a declaration that the act fulfills important state interest; providing an effective date.

—was read the second time by title.

The Committee on Comprehensive Planning, Local and Military Affairs recommended the following amendment which was moved by Senator Mitchell and failed:

**Amendment 1 (762674)**—On page 3, line 20, after "funds" insert: *not pledged for bond debt service satisfaction that are*

Senator Mitchell moved the following amendment which was adopted:

**Amendment 2 (440348)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 110.1228, Florida Statutes, is created to read:

*110.1228 Participation by small counties, small municipalities, and district school boards located in small counties.—*

(1) *As used in this section, the term:*

(a) *"District school board" means a district school board located in a small county or a district school board that receives funding pursuant to s. 236.081(6).*

(b) *"Small municipality" means an incorporated municipality that has a population of 12,500 or fewer according to the most recent decennial census.*

(c) *"Small county" means a county that has a population of 100,000 or fewer according to the most recent decennial census.*

(2) *The governing body of a small county or small municipality or a district school board may apply for participation in the state group health insurance program authorized in s. 110.123 and the prescription drug coverage program authorized by s. 110.12315 by submitting an application along with a \$500 nonrefundable fee to the department.*

(3) *Any costs or savings to the self-insured state group health insurance program or the self-insured prescription drug coverage program resulting from such participation shall be passed on to the local government participants and their employees. Such costs or savings shall be delineated based on the impact to the state, state officers and employees, and local government employers and their employees.*

(4) *As a prerequisite to the adoption of an ordinance or resolution for participation in the state group health insurance program and prescription drug coverage program, a small county, small municipality, or district school board shall issue a request for proposals to provide health insurance and prescription drug coverage. Such request for proposals shall seek coverages equivalent to those offered currently by the small county, small municipality, or district school board and coverages equivalent to the state group health insurance program and prescription drug coverage program. Such request for proposals must provide an opportunity for the receipt of competitive proposals from all interested parties without restriction. The small county, small municipality, and district school board shall review and consider all responsive proposals prior to the adoption of any ordinance or resolution for participation in the state group health insurance program and prescription drug coverage program.*

(5) *If the department determines that a small county, small municipality, or district school board is eligible to enroll, the small county, small municipality, or district school board must agree to the following terms and conditions:*



- (a) *The minimum enrollment or contractual period will be 3 years.*
- (b) *The small county, small municipality, or district school board must pay to the department an initial administrative fee of not less than \$2.61 per enrollee per month, or such other amount established annually to fully reimburse the department for its costs.*
- (c) *Termination of participation of a small county, small municipality, or district school board requires written notice 1 year before the termination date.*
- (d) *If participation is terminated, a small county, small municipality, or district school board may not reapply for participation for a period of 2 years.*
- (e) *Small counties, small municipalities, and district school boards shall reimburse the state for 100 percent of its costs, including administrative costs.*
- (f) *If a small county, small municipality, or district school board employer fails to make the payments required by this section to fully reimburse the state, the Department of Revenue or the Department of Banking and Finance shall, upon the request of the Department of Management Services, deduct the amount owed by the employer from any funds not pledged to bond debt service satisfaction that are to be distributed by it to the small county, small municipality, or district school board. The amounts so deducted shall be transferred to the Department of Management Services for further distribution to the trust funds in accordance with this chapter.*
- (g) *The small county, small municipality, or district school board shall furnish the department any information requested by the department which the department considers necessary to administer the state group health insurance program and the prescription drug coverage program.*
- (h) *The small county, small municipality, or district school board shall adopt the state's eligibility rules.*
- (i) *The small county, small municipality, or district school board may not participate in the state's cafeteria plan that allows for pretax treatment of premium contributions. If pretax treatment is desirable for employees of these participating employers, each employee of a participating employer shall execute a salary reduction agreement with that employer, and each participating employer shall establish its own cafeteria plan.*
- (j) *The small county, small municipality, or district school board shall pay monthly premiums in amounts sufficient to cover claims costs, department administrative costs, and third-party administrative costs and provide for adequate reserves and cash flow by contributing three months premiums and costs in advance of the coverage effective date.*
- (6) *The provisions of ss. 624.436-624.446 do not apply to the State Group Insurance Program or to this section.*
- (7) *The Department of Management Services may adopt rules necessary to administer this section.*

Section 2. *The Legislature finds that a proper and legitimate state purpose is served when public employers, and their employees and dependents, in small counties, small municipalities, and district school boards are given additional choices for the basic protections afforded by group health and prescription drug coverage programs that also permit the continued operation of a competitive marketplace and assure that affordable and available coverage is extended to all interested parties. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the state group health insurance and prescription drug programs; creating s. 110.1228, F.S.; authorizing specified local governmental entities to apply for participation; providing eligibility requirements for enrollment; exempting the program from ss. 624.436-624.446, F.S., relating to multiple-employer welfare arrangements; authorizing the Department of Management Services to adopt rules; providing a declaration that the act fulfills important state interest; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 1172** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Brown-Waite—

**SB 1132**—A bill to be entitled An act relating to county government; amending s. 125.35, F.S.; providing an alternative procedure for the sale or disposition of certain property by boards of county commissioners; providing an effective date.

—was read the second time by title.

The Committee on Comprehensive Planning, Local and Military Affairs recommended the following amendment which was moved by Senator Brown-Waite and adopted:

**Amendment 1 (793964)**—On page 3, lines 24-27, delete those lines and insert:

(e) *The manner in which interested persons will be notified of the board's intent to consider final action at a regular meeting of the board on the disposition of a property and the time and manner for making objections.*

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

**Amendment 2 (232842)(with title amendment)**—On page 3, lines 30 and 31, delete those lines and insert:

Section 2. Section 125.568, Florida Statutes, is amended to read:

125.568 Conservation of water; Xeriscape.—

(1)(a) The Legislature finds that Xeriscape contributes to the conservation of water. In an effort to meet the water needs of this state in a manner that will supply adequate and dependable supplies of water where needed, it is the intent of the Legislature that Xeriscape be an essential part of water conservation planning.

(b) "Xeriscape" or "Florida friendly landscape" means quality landscapes that conserve water and protect the environment and are adaptable to local conditions and which are drought tolerant ~~a landscaping method that maximizes the conservation of water by the use of site-appropriate plants and an efficient watering system.~~ The principles of Xeriscape include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, practical use of turf, efficient irrigation, appropriate use of mulches, and proper maintenance.

(2) ~~By October 1, 1992,~~ The board of county commissioners of each county shall consider enacting ordinances requiring the use of Xeriscape as a water conservation measure. If the board determines that Xeriscape would be of significant benefit as a water conservation measure relative to the cost to implement Xeriscape landscaping in its area of jurisdiction, the board shall enact a Xeriscape ordinance. Further, the board of county commissioners shall consider promoting Xeriscape as a water conservation measure by: using Xeriscape in, around, or near facilities, parks, and other common areas under its jurisdiction which are landscaped after the effective date of this act; providing public education on Xeriscape, its uses as a water conservation tool, and its long-term cost-effectiveness; and offering incentives to local residents and businesses to implement Xeriscape landscaping.

(3) *A deed restriction or covenant entered after October 1, 2001, or local government ordinance may not prohibit any property owner from implementing Xeriscape or Florida friendly landscape on his or her land.*

Section 3. Section 166.048, Florida Statutes, is amended to read:

166.048 Conservation of water; Xeriscape.—

(1)(a) The Legislature finds that Xeriscape contributes to the conservation of water. In an effort to meet the water needs of this state in a manner that will supply adequate and dependable supplies of water where needed, it is the intent of the Legislature that Xeriscape be an essential part of water conservation planning.

(b) "Xeriscape" or "Florida friendly landscape" means *quality landscapes that conserve water and protect the environment and are adaptable to local conditions and which are drought tolerant a landscaping method that maximizes the conservation of water by the use of site-appropriate plants and an efficient watering system.* The principles of Xeriscape include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, practical use of turf, efficient irrigation, appropriate use of mulches, and proper maintenance.

(2) ~~By October 1, 1992,~~ The governing body of each municipality shall consider enacting ordinances requiring the use of Xeriscape as a water conservation measure. If the governing body determines that Xeriscape would be of significant benefit as a water conservation measure relative to the cost to implement Xeriscape landscaping in its area of jurisdiction in the municipality, the board shall enact a Xeriscape ordinance. Further, the governing body shall consider promoting Xeriscape as a water conservation measure by: using Xeriscape in, around, or near facilities, parks, and other common areas under its jurisdiction which are landscaped after the effective date of this act; providing public education on Xeriscape, its uses as a water conservation tool, and its long-term cost-effectiveness; and offering incentives to local residents and businesses to implement Xeriscape landscaping.

(3) *A deed restriction or covenant entered after October 1, 2001, or local government ordinance may not prohibit any property owner from implementing Xeriscape or Florida friendly landscape on his or her land.*

Section 4. Subsection (4) is added to section 255.259, Florida Statutes, to read:

255.259 Xeriscape landscaping on public property.—

(4) *A deed restriction or covenant entered after October 1, 2001, or local government ordinance may not prohibit any property owner from implementing Xeriscape or Florida friendly landscape on his or her land.*

Section 5. Section 335.167, Florida Statutes, is amended to read:

335.167 State highway construction and maintenance; Xeriscape landscaping in rights-of-way.—

(1) The department shall use and require the use of Xeriscape practices, *as defined in s. 373.185(1),* in the construction and maintenance of all new state highways, wayside parks, access roads, welcome stations, and other state highway rights-of-way constructed upon or acquired after June 30, 1992. The department shall develop a 5-year program for phasing in the use of Xeriscape, including the use of solid waste compost, in state highway rights-of-way constructed upon or acquired before July 1, 1992. In accomplishing these tasks, the department shall employ the guidelines set out in s. 373.185(2)(a)-(f).

(2) *A deed restriction or covenant entered after October 1, 2001, or local government ordinance may not prohibit any property owner from implementing Xeriscape or Florida friendly landscape on his or her land.*

Section 6. Section 373.62, Florida Statutes, is amended to read:

373.62 Water conservation; automatic sprinkler systems.—Any person who purchases and installs an automatic lawn sprinkler system after May 1, 1991, shall install, *and must maintain and operate,* a rain sensor device or switch ~~that which~~ will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.

Section 7. Section 373.185, Florida Statutes, is amended to read:

373.185 Local Xeriscape ordinances.—

(1) As used in this section, the term:

(a) "Local government" means any county or municipality of the state.

(b) "Xeriscape" or "Florida friendly landscape" means *quality landscapes that conserve water and protect the environment and are adaptable to local conditions and which are drought tolerant a landscaping method that maximizes the conservation of water by the use of site-appropriate plants and an efficient watering system.* The principles of Xeriscape include planning and design, appropriate choice of plants, soil

analysis which may include the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance.

(2) Each water management district shall design and implement an incentive program to encourage all local governments within its district to adopt new ordinances or amend existing ordinances to require Xeriscape landscaping for development permitted after the effective date of the new ordinance or amendment. Each district shall adopt rules governing the implementation of its incentive program and governing the review and approval of local government Xeriscape ordinances or amendments which are intended to qualify a local government for the incentive program. Each district shall assist the local governments within its jurisdiction by providing a model Xeriscape code and other technical assistance. A local government Xeriscape ordinance or amendment, in order to qualify the local government for a district's incentive program, must include, at a minimum:

(a) Landscape design, installation, and maintenance standards that result in water conservation. Such standards shall address the use of plant groupings, soil analysis including the promotion of the use of solid waste compost, efficient irrigation systems, and other water-conserving practices.

(b) Identification of prohibited invasive exotic plant species.

(c) Identification of controlled plant species, accompanied by the conditions under which such plants may be used.

(d) A provision specifying the maximum percentage of turf and the maximum percentage of impervious surfaces allowed in a xeriscaped area and addressing the practical selection and installation of turf.

(e) Specific standards for land clearing and requirements for the preservation of existing native vegetation.

(f) A monitoring program for ordinance implementation and compliance.

The districts also shall work with local governments to promote, through educational programs and publications, the use of Xeriscape practices, including the use of solid waste compost, in existing residential and commercial development. This section may not be construed to limit the authority of the districts to require Xeriscape ordinances or practices as a condition of any consumptive use permit.

(3) *A deed restriction or covenant entered after October 1, 2001, or local government ordinance may not prohibit any property owner from implementing Xeriscape or Florida friendly landscape on his or her land.*

Section 8. Section 720.3075, Florida Statutes, is amended to read:

720.3075 Prohibited clauses in association documents.—

(1) It is declared that the public policy of this state prohibits the inclusion or enforcement of certain types of clauses in homeowners' association documents, including declaration of covenants, articles of incorporation, bylaws, or any other document of the association which binds members of the association, which either have the effect of or provide that:

(a) A developer has the unilateral ability and right to make changes to the homeowners' association documents after the transition of homeowners' association control in a community from the developer to the nondeveloper members, as set forth in s. 720.307, has occurred.

(b) A homeowners' association is prohibited or restricted from filing a lawsuit against the developer, or the homeowners' association is otherwise effectively prohibited or restricted from bringing a lawsuit against the developer.

(c) After the transition of homeowners' association control in a community from the developer to the nondeveloper members, as set forth in s. 720.307, has occurred, a developer is entitled to cast votes in an amount that exceeds one vote per residential lot.

Such clauses are declared null and void as against the public policy of this state.

(2) The public policy described in subsection (1) prohibits the inclusion or enforcement of such clauses created on or after the effective date of s. 3, chapter 98-261, Laws of Florida.

(3) Homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, may not preclude the display of one United States flag by property owners. However, the flag must be displayed in a respectful way and may be subject to reasonable standards for size, placement, and safety, as adopted by the homeowners' association, consistent with Title 36 U.S.C. chapter 10 and any local ordinances.

(4) *Homeowners' association documents, including declarations of covenants, articles of incorporation or bylaws, entered after October 1, 2001, may not prohibit any property owner from implementing Xeriscape or Florida friendly landscape, as defined in s. 373.185(1), on his or her land.*

Section 9. This act shall take effect October 1, 2001, except that this section and section 1 of this act shall take effect upon becoming a law.

And the title is amended as follows:

On page 1, lines 1-6, delete those lines and insert: A bill to be entitled An act relating to the use and disposition of real and personal property; amending s. 125.35, F.S.; providing an alternative procedure for the sale or disposition of certain property by boards of county commissioners; amending ss. 125.568, 166.048, 255.259, 335.167, 373.185, F.S.; redefining the term "Xeriscape"; prohibiting certain restrictions on the practice of Xeriscape; amending s. 373.62, F.S.; providing for the operation and maintenance of rain sensor devices; amending s. 720.3075, F.S.; prohibiting homeowners' associations from restricting the practice of Xeriscape; providing effective dates.

**Amendment 3 (874234)(with title amendment)**—On page 3, lines 30 and 31, delete those lines and insert:

Section 2. Subsection (7) of section 197.502, Florida Statutes, is amended to read:

197.502 Application for obtaining tax deed by holder of tax sale certificate; fees.—

(7) *On county-held certificates for which* If there are no bidders at the public sale, the clerk shall enter the land on a list entitled "lands available for taxes" and shall immediately notify the county commission and all other persons holding certificates against the land that the land is available. During the first 90 days after the land is placed on the list of lands available for taxes, the county may purchase the land for the opening bid. Thereafter, any person, the county, or any other governmental unit may purchase the land from the clerk, without further notice or advertising, for the opening bid, except that when the county or other governmental unit is the purchaser for its own use, the board of county commissioners may cancel omitted years' taxes, as provided under s. 197.447. *Interest on the opening bid continues to accrue through the month of sale as prescribed by s. 197.542.*

Section 3. Subsection (3) of section 197.512, Florida Statutes, is amended to read:

197.512 Notice, form of publication for obtaining tax deed by holder.—

(3) *Except when the land is redeemed according to law* Upon ultimate disposition of the application for a tax deed, the clerk shall record enter his or her certificate of notice and his or her certificate of advertising in the public records of the county with such other relevant documents as may be required by the department.

Section 4. Section 197.542, Florida Statutes, is amended to read:

197.542 Sale at public auction.—

(1) The lands advertised for sale to the highest bidder as a result of an application filed under s. 197.502 shall be sold at public auction by the clerk of the circuit court, or his or her deputy, of the county where the lands are located on the date, at the time, and at the location as set forth in the published notice, which shall be during the regular hours the clerk's office is open. At the time and place, the clerk shall read the notice of sale and shall offer the lands described in the notice for sale to the highest bidder for cash at public outcry. The amount required to redeem the tax certificate, plus the amounts paid by the holder to the clerk of the circuit court in charges for costs of sale, redemption of other tax certificates on the same lands, and all other costs to the applicant for tax

deed, plus interest thereon at the rate of 1.5 percent per month for the period running from the month after the date of application for the deed through the month of sale and costs incurred for the service of notice provided for in s. 197.522(2), shall be considered the bid of the certificateholder for the property. However, if the land to be sold is assessed on the latest tax roll as homestead property, the bid of the certificateholder shall be increased to include an amount equal to one-half of the assessed value of the homestead property as required by s. 197.502. If there are no higher bids, the land shall be struck off and sold to the certificateholder, who shall forthwith pay to the clerk the documentary stamp tax and recording fees due, and a tax deed shall thereupon be issued and recorded by the clerk.

(2) If there are other bids, the certificateholder shall have the right to bid as others present may bid, and the property shall be struck off and sold to the highest bidder. *The high bidder shall post with the clerk a nonrefundable cash deposit of \$200 at the time of the sale, to be applied to the sale price at the time of full payment. Notice of this deposit requirement shall be posted at the auction site, and the clerk may require that bidders show their willingness and ability to post the cost deposit. If full payment of the final bid and of documentary stamp tax and recording fees is not made within 24 hours, excluding weekends and legal holidays, the clerk shall cancel all bids, readvertise the sale as provided in this section, and pay all costs of the sale from the deposit. Any remaining funds must be applied toward the opening bid.* The clerk may refuse to recognize the bid of any person who has previously bid and refused, for any reason, to honor such bid.

(3)(2)—~~The clerk of the circuit court shall demand immediate payment of an amount equal to the highest bid plus applicable documentary stamp taxes and recording fees. If full payment is not received by the clerk within 24 hours after the advertised time of the sale, the clerk shall cancel the bids and readvertise the property for sale. If the sale is canceled for any reason, the clerk shall immediately readvertise the sale to be held no later than 30 days after from the date the sale was canceled. Only one advertisement is shall be necessary. No further notice is shall be required. The amount of the statutory (opening) bid shall be increased by the cost of advertising, additional clerk's fees as provided for in s. 28.24(26), and interest as provided for in subsection (1). The clerk shall receive full payment prior to the issuance of the tax deed.~~

Section 5. This section and section 1 of this act shall take effect upon becoming a law and sections 2, 3, and 4 shall take effect October 1, 2001, as to sales for which the respective application for obtaining a tax deed is filed on or after October 1, 2001.

And the title is amended as follows:

On page 1, line 6, after the semicolon (;) insert: amending s. 197.502, F.S.; amending procedures that apply if there are no bidders at a public sale of property against which tax certificates are held; prescribing the period during which interest on the opening bid continues to accrue; amending s. 197.512, F.S.; providing an exception to certain recording duties of the clerk; amending s. 197.542, F.S.; revising procedures relating to the sale at public auction of lands on which an application for tax deed has been obtained; requiring the high bidder to post a nonrefundable cash deposit at the time of the sale;

Pursuant to Rule 4.19, **SB 1132** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

**CS for CS for SB 1672**—A bill to be entitled An act relating to welfare transition; providing a short title; providing legislative intent; authorizing the Passport to Economic Progress demonstration program in specified areas; requiring Workforce Florida, Inc., and the Department of Children and Family Services to pursue federal-government waivers as necessary; increasing the amount of income that may be disregarded in determining eligibility for temporary cash assistance for families residing in the demonstration areas; authorizing an extended period of time for the receipt of welfare-transition benefits by families residing in the demonstration areas; providing legislative findings; directing Workforce Florida, Inc., to create a transitional wage supplementation program; authorizing wage supplementation payments to certain individuals; requiring an evaluation and reports on the demonstration program; providing for conflicts of laws; providing appropriations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1672** was placed on the calendar of Bills on Third Reading.

On motion by Senator Carlton—

**CS for SB 1638**—A bill to be entitled An act relating to sales and use tax administration; repealing s. 213.27(9), F.S., which authorizes the Department of Revenue to contract with certain vendors to develop and implement a voluntary system for sales and use tax collection and administration; creating s. 213.256, F.S., the Simplified Sales and Use Tax Administration Act; defining terms; authorizing the department's participation in the Streamlined Sales and Use Tax Agreement; providing that each state that is a party to the agreement must abide by certain requirements in order for the department to enter into the agreement; ensuring that when this state complies with the agreement, the agreement cannot be used to challenge existing state laws and statutes; providing for the collection and remittance of the sales and use tax under the agreement; providing for maintenance of confidentiality of certain information; providing a penalty; requiring the department to make annual recommendations to the Legislature concerning provisions that need to be adopted in order to bring this state's system into compliance with the Streamlined Sales and Use Tax Agreement; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1638** was placed on the calendar of Bills on Third Reading.

On motion by Senator Klein—

**CS for SB 1684**—A bill to be entitled An act relating to teacher recruitment; creating the Transition to Teaching Program; encouraging participation by postsecondary education institutions and organizations that represent eligible employees or employ eligible applicants; providing for grant proposals and applications; requiring an evaluation; authorizing certain activities and placing limitations on expenditures; providing for repayment of certain stipends; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1684** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 118** was deferred.

On motion by Senator Silver—

**CS for SB's 182, 328 and 970**—A bill to be entitled An act relating to insurance; amending s. 627.062, F.S.; excluding the Florida Windstorm Underwriting Association from certain rate-filing arbitration provisions; amending s. 627.0628, F.S.; limiting authority of insurers to use findings of the Florida Commission on Hurricane Loss Projection Methodology in a rate filing under s. 627.062, F.S.; providing that such findings are not admissible and relevant in consideration of a rate filing by the Department of Insurance unless the department has access to all factors and assumptions used in developing the standards or models found by the commission to be reliable or accurate; amending s. 627.351, F.S.; modifying membership of the board of directors of the Florida Windstorm Underwriting Association; revising the criteria for limited apportionment companies; requiring insurers taking policies out of the association to pay certain amounts or take certain actions relative to the producing agent of record; deleting a requirement that certain insureds lose their eligibility for coverage by the association under certain circumstances; revising the immunity from liability for members of the board of the association; providing for assignment by the association of personal lines residential policies located in a deauthorized area to authorized insurers; providing criteria for distributing assigned policies; providing procedures; providing that assignment of a policy does not affect the producing agent's entitlement to unearned commission; providing for appeals of assignment of policies to the Department of Insurance;

providing that a failure to accept residential policies assigned by the association is a willful violation of the Florida Insurance Code; authorizing the department to adopt rules; amending s. 627.7013, F.S.; extending the operation of the law limiting the number of personal lines residential policies that may be terminated by an insurer for the purpose of reducing the insurer's exposure to hurricane claims; making legislative findings; amending s. 627.7014, F.S.; extending the operation of the law limiting the number of condominium association property insurance policies that may be terminated by an insurer for the purpose of reducing the insurer's exposure to hurricane claims; making legislative findings; providing an effective date.

—was read the second time by title.

Senator Holzendorf moved the following amendment which was adopted:

**Amendment 1 (215742)(with title amendment)**—On page 30, between lines 28 and 29, insert:

Section 6. Section 624.4072, Florida Statutes, is amended to read:

624.4072 Minority-owned property and casualty insurers; limited exemption for taxation and assessments.—

(1) A minority business that is at least 51 percent owned by minority persons, as defined in s. 288.703(3), initially issued a certificate of authority in this state as an authorized insurer after May 1, 1998, to write property and casualty insurance shall be exempt, for a period not to exceed 10 5 years from the date of receiving its certificate of authority, from the following taxes and assessments:

(a) Taxes imposed under ss. 175.101, 185.08, and 624.509;

(b) Assessments by the Florida Residential Property and Casualty Joint Underwriting Association or by the Florida Windstorm Underwriting Association, as provided under s. 627.351, except for emergency assessments collected from policyholders pursuant to s. 627.351(2)(b)2.d.(III) and (6)(b)3.d. Any such insurer shall be a member insurer of the Florida Windstorm Underwriting Association and the Florida Residential Property and Casualty Joint Underwriting Association. The premiums of such insurer shall be included in determining, for the Florida Windstorm Underwriting Association, the aggregate statewide direct written premium for property insurance and in determining, for the Florida Residential Property and Casualty Joint Underwriting Association, the aggregate statewide direct written premium for the subject lines of business for all member insurers.

(2) Subsection (1) applies only to personal lines and commercial lines residential property insurance policies as defined in s. 627.4025, and applies only to an insurer that has employees in this state and has a home office or a regional office in this state. With respect to any tax year or assessment year, the exemptions provided by subsection (1) apply only if during the year an average of at least 10 percent of the insurer's Florida residential property policies in force covered properties located in enterprise zones designated pursuant to s. 290.0065.

(3) The provision of the definition of "minority person" in s. 288.703(3) that requires residency in Florida shall not apply to the term "minority person" as used in this section or s. 627.3511.

(4) This section is repealed effective *December 31, 2010* ~~July 1, 2003~~, and the tax and assessment exemptions authorized by this section shall terminate on such date.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 22, after the second semicolon (;) insert: amending s. 624.4072, F.S.; extending the term of the exemption from taxes and assessments on minority-owned property and casualty insurers; postponing the scheduled repeal of the law;

Senator Silver moved the following amendment which was adopted:

**Amendment 2 (324332)(with title amendment)**—On page 30, between lines 28 and 29, insert:

Section 6. *Effective upon this act becoming a law, the Florida Windstorm Underwriting Association shall not require flood insurance cover-*

*age as a precondition to policyholder or applicant eligibility for coverage by the association; however, the association may offer to reduce policy premiums for any policyholder or applicant who has flood insurance coverage.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 22, after the semicolon (;) insert: prohibiting the Florida Windstorm Underwriting Association from requiring flood insurance under certain circumstances; authorizing certain premium reductions under certain circumstances;

Pursuant to Rule 4.19, **CS for SB's 182, 328 and 970** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Burt, by two-thirds vote **HB 695** was withdrawn from the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

On motion by Senator Burt—

**HB 695**—A bill to be entitled An act relating to sentencing; amending s. 874.04, F.S.; providing for enhanced penalties for the commission of a felony or misdemeanor, or a delinquent act or violation of law that would be a felony or misdemeanor if committed by an adult, under specified circumstances when the defendant committed the charged offense for the purpose of benefiting, promoting, or furthering the interest of a criminal street gang; amending s. 921.0024, F.S., relating to the Criminal Punishment Code worksheet computations and scoresheets; revising guidelines for applying a specified sentence multiplier for offenses committed for the purpose of benefiting, promoting, or furthering the interests of a criminal street gang; providing an effective date.

—a companion measure, was substituted for **SB 122** and read the second time by title.

Pursuant to Rule 4.19, **HB 695** was placed on the calendar of Bills on Third Reading.

On motion by Senator Clary—

**CS for CS for SB 306**—A bill to be entitled An act relating to public protection; amending s. 944.605, F.S.; requiring that the state attorney and a victim's parent, guardian, next of kin, or lawful representative be notified under certain circumstances after the inmate who committed the crime is approved for community work release; amending s. 958.07, F.S.; authorizing the victim of a crime or the victim's parent, guardian, or next of kin to review the presentence investigation report under certain circumstances; amending s. 960.001, F.S.; requiring that a victim's parent, guardian, or representative be allowed to be informed, present, and heard in a criminal or juvenile proceeding; requiring that a crime victim or witness be informed of the address confidentiality program; requiring notice when an inmate is approved for community work release; requiring that the victim of a sex offense be informed of the right to have the courtroom cleared of certain persons when the victim is testifying about the offense; prescribing standing of certain persons to assert a victim's rights; amending s. 921.143, F.S.; prescribing the right of the parent or guardian of a minor victim, or the lawful representative of any of them, to appear and make a statement at a sentencing hearing; amending s. 944.606, F.S.; requiring notification of the victim, the victim's parent or guardian when the victim is a minor, the lawful representative of any of them, or the next of kin of a homicide victim when a sexual offender is being released; amending s. 948.10, F.S.; requiring notification of the victim, the victim's parent or guardian when the victim is a minor, or the next of kin of a homicide victim when an offender is placed on community control; amending s. 960.28, F.S.; prohibiting a medical provider who performs an initial forensic examination from billing the parent or guardian of a minor victim for that examination; amending s. 949.07, F.S.; providing a compact for the supervision of adult offenders; authorizing and directing the Governor to enter into the compact on behalf of the state; providing purpose; providing definitions; providing for an Interstate Commission; providing for governance of the commission; providing for a State Council for Interstate Adult

Offender Supervision; providing for membership of the state council; specifying powers and duties of the Interstate Commission; providing for organization and operation of the commission; providing activities of the commission; authorizing the commission to adopt rules; providing for oversight, enforcement, and resolution of disputes between compacting states; providing for financing the activities of the commission; providing for the effective date of the compact; providing for withdrawal, default, or termination of member states; providing for judicial enforcement; providing for severability and construction of the compact; providing that the compact binds the member states; amending s. 949.071, F.S.; redefining the term "state" for purposes of the compact; creating s. 949.072, F.S.; establishing the State Council for Interstate Adult Offender Supervision; providing for membership and duties; amending s. 949.08, F.S.; providing certain limitations on the amount paid by the state under the compact; amending s. 949.09, F.S.; redesignating ss. 949.07-949.08, F.S., as the "Interstate Compact for Adult Offender Supervision"; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 306** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dawson—

**CS for SB 350**—A bill to be entitled An act relating to individual development accounts; providing purposes; providing definitions; requiring the Department of Children and Family Services to amend the Temporary Assistance for Needy Families State Plan to provide for use of funds for individual development accounts; specifying criteria and requirements for contributions to such accounts; specifying purposes for use of such accounts; providing for procedures for withdrawals from such accounts; specifying certain organizations to act as fiduciary organizations for certain purposes; providing for controlling the withdrawal of funds for uses other than qualified purposes; providing for resolution of certain disputes; providing for transfer of ownership of such accounts under certain circumstances; providing for establishment of such accounts by certain financial institutions under certain circumstances; providing requirements; providing that account funds and matching funds do not affect certain program eligibility; providing an effective date.

—was read the second time by title.

The Committee on Appropriations recommended the following amendment which was moved by Senator Dawson and adopted:

**Amendment 1 (084622)(with title amendment)**—On page 7, following line 31, insert:

*(13) Pursuant to policy direction by Workforce Florida, Inc., the Agency for Workforce Innovation shall adopt such rules as are necessary to implement this act.*

And the title is amended as follows:

On page 1, line 24, following the semicolon (;) insert: providing for rules;

Pursuant to Rule 4.19, **CS for SB 350** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

## THE PRESIDENT PRESIDING

On motion by Senator Peaden—

**SB 1324**—A bill to be entitled An act relating to health care; creating s. 456.41, F.S.; authorizing provision of and access to complementary or alternative health care treatments; requiring patients to be provided with certain information regarding such treatments; requiring the keeping of certain records; providing effect on the practice acts; amending s. 381.026, F.S.; revising the Florida Patient's Bill of Rights and Responsibilities to include the right to access any mode of treatment the patient or the patient's health care practitioner believes is in the patient's best interests; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1324** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rossin—

**SB 1020**—A bill to be entitled An act relating to non-ad valorem assessments; amending s. 197.3632, F.S., relating to the uniform method for the levy, collection, and enforcement of non-ad valorem assessments; defining the term "levied for the first time"; specifying the circumstances in which a local government must adopt a non-ad valorem assessment roll at a public hearing; prescribing requirements relating to the notice that must be given before such a hearing is held; providing an effective date.

—was read the second time by title.

The Committee on Comprehensive Planning, Local and Military Affairs recommended the following amendment which was moved by Senator Rossin and adopted:

**Amendment 1 (871498)**—On page 3, lines 7 and 8, delete those lines and insert: ~~assessment~~; the proposed schedule of the assessment; the fact that the assessment will

Senator Rossin moved the following amendment which was adopted:

**Amendment 2 (810142)(with title amendment)**—On page 1, line 15, insert:

Section 1. Subsection (1) of section 170.201, Florida Statutes, is amended to read:

170.201 Special assessments.—

(1) In addition to other lawful authority to levy and collect special assessments, the governing body of a municipality *or county* may levy and collect special assessments to fund capital improvements and municipal *or county* services, including, but not limited to, fire protection, emergency medical services, garbage disposal, sewer improvement, street improvement, and parking facilities. The governing body of a municipality *or county* may apportion costs of such special assessments based on:

- (a) The front or square footage of each parcel of land; or
- (b) An alternative methodology, so long as the amount of the assessment for each parcel of land is not in excess of the proportional benefits as compared to other assessments on other parcels of land.

*The levy of special assessments under this subsection is made pursuant to ss. 1 and 9, Art. VII of the State Constitution.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 2, after the semicolon (;) insert: amending s. 170.201, F.S.; authorizing counties to levy special assessments to fund capital improvements and certain services; providing for apportionment of such assessments;

Pursuant to Rule 4.19, **SB 1020** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**MOTION**

On motion by Senator Lee, the rules were waived and time of recess was extended until completion of motions and announcements.

**MOTIONS RELATING TO COMMITTEE MEETINGS**

On motion by Senator Lee, the rules were waived and the Conference Committees on the Appropriations Subcommittee on Education; and the Appropriations Subcommittee on Health and Human Services were

granted permission to meet at 6:30 p.m. in lieu of 6:00 p.m. as scheduled this day.

On motion by Senator Lee, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet 15 minutes after recess in lieu of 6:30 p.m. as scheduled April 26.

On motion by Senator Lee, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar meeting scheduled for this day was canceled.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Lee, by two-thirds vote **CS for CS for SB 1470** was withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Geller, by two-thirds vote **SB 52** was removed from the calendar and withdrawn from further consideration.

**MOTIONS**

On motion by Senator Lee, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, April 26; and the rules were waived and by two-thirds vote **SB 1986** was placed at the beginning of the Special Order Calendar for Thursday, April 26.

On motion by Senator Lee, a deadline of 30 minutes after recess this day was set for filing amendments to Bills on Third Reading to be considered Thursday, April 26.

**REPORTS OF COMMITTEES**

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 25, 2001: CS for CS for SB 2108, SB 1162, CS for SB 1610, CS for CS for SB 1672, SB 1132, CS for SB 1172, CS for SB 1638, CS for SB 1684, CS for SB 118, CS for SB's 182, 328 and 970, SB 122, CS for CS for SB 306, CS for SB 350, SB 1324, SB 1020, SB 1986, CS for SB 840, SB 818, CS for SB 2118, CS for SB 890, CS for SB 658, SB 2308

Respectfully submitted,  
Tom Lee, Chairman

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, April 26, 2001: CS for CS for CS for SB 1202, SB 1200, CS for SB 1118, CS for SB 748, SB 1422, SB 1194, SJR 1426, CS for SB 894, SB 1170, CS for CS for SB 1282, CS for SB 2034, CS for SB 302, CS for SB 2088, CS for CS for SB 668, SB 1714, CS for SB 1852, CS for SB 1850, CS for SB 84, CS for SB 322, CS for SB 660, SB 698, SB 382, SB 674, CS for CS for SB 2092, CS for SB 1226, SB 1344, CS for SB 1366, CS for SB 1642, CS for SB 1306, CS for SB 962

Respectfully submitted,  
Tom Lee, Chairman

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1498

**The bill was referred to the Appropriations Subcommittee on Education under the original reference.**

The Committee on Banking and Insurance recommends the following pass: SB 1868

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 432 with 5 amendments, SB 1022, CS for SB 1246 with 1 amendment, SB 2020, SB 2114

The Committee on Criminal Justice recommends the following pass: SB 430

The Committee on Finance and Taxation recommends the following pass: CS for CS for SB 738 with 4 amendments, CS for CS for SB 1276, SB 1620, CS for SB 1920, CS for SB 2044, SB 2140

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1460 with 1 amendment, SB 1462 with 1 amendment, CS for SB 1670 with 3 amendments, SB 1944, SB 1948

The Committee on Transportation recommends the following pass: SB 1088 with 1 amendment

**The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on General Government under the original reference.**

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The Committee on Criminal Justice recommends the following pass: CS for SB 678 with 1 amendment, SB 696

The Committee on Finance and Taxation recommends the following pass: SB 1980

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1810

The Committee on Judiciary recommends the following pass: CS for SB 974

The Committee on Transportation recommends the following pass: SB 1054 with 2 amendments

**The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on Public Safety and Judiciary under the original reference.**

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The Committee on Governmental Oversight and Productivity recommends the following pass: SB 2046 with 1 amendment

The Committee on Transportation recommends the following pass: SB 506 with 1 amendment

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

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The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1630

The Committee on Health, Aging and Long-Term Care recommends the following pass: CS for SB 1608 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1064 with 2 amendments

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

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The Committee on Banking and Insurance recommends the following pass: SB 830

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

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The Committee on Transportation recommends the following pass: SB 662 with 2 amendments

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

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The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: CS for SB 1762, SB 2274 with 2 amendments, SB 2310

The Committee on Finance and Taxation recommends the following pass: SB 486

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 1562, SB 1958

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

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The Committee on Banking and Insurance recommends the following pass: SB 482 with 1 amendment

The Committee on Appropriations recommends the following pass: SB 342, CS for SB 1286 with 1 amendment, CS for SB 1540, CS for SB 1724

The Committee on Commerce and Economic Opportunities recommends the following pass: CS for SB 2088

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: CS for CS for SB 2058, CS for SB 2074

The Committee on Finance and Taxation recommends the following pass: CS for SB 76, SB 1220, SB 1632, CS for SB 2174

The Committee on Judiciary recommends the following pass: SB 106, CS for SB 408, CS for SB 1128, CS for SB 1956

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

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The Committee on Children and Families recommends a committee substitute for the following: SB 422

**The bill with committee substitute attached was referred to the Appropriations Subcommittee on Education under the original reference.**

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The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 872

The Committee on Judiciary recommends a committee substitute for the following: SB 910

The Committee on Natural Resources recommends committee substitutes for the following: SB 1512, SB 1560

The Committee on Regulated Industries recommends a committee substitute for the following: SB 348

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Appropriations Subcommittee on General Government under the original reference.**

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The Committee on Children and Families recommends a committee substitute for the following: SB 1866

The Committee on Health, Aging and Long-Term Care recommends a committee substitute for the following: CS for SB's 1960 and 1760

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.**

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The Committee on Judiciary recommends a committee substitute for the following: CS for SB 180

**The bill with committee substitute attached was referred to the Appropriations Subcommittee on Public Safety and Judiciary under the original reference.**

The Committee on Transportation recommends a committee substitute for the following: SB 1288

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

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The Committee on Judiciary recommends a committee substitute for the following: CS for SB 2066

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1824

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

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The Committee on Banking and Insurance recommends committee substitutes for the following: SB 1188, SB 2218

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2210

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

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The Committee on Appropriations recommends a committee substitute for the following: SB 1784

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 2178

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

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1568

The Committee on Appropriations recommends a committee substitute for the following: CS for SB 1456

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 374, SB 1628, CS for SB 1880, SB 2012, CS for SB 2120, CS for SB 2156

The Committee on Natural Resources recommends a committee substitute for the following: SB 2142

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

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**REPORTS OF SUBCOMMITTEES**

The Appropriations Subcommittee on General Government recommends the following pass: CS for SB 1010, SB 2126 with 2 amendments

The Appropriations Subcommittee on Health and Human Services recommends the following pass: HB 1741 with 1 amendment, SB 622, CS for SB 1056 with 1 amendment, SB 1650 with 2 amendments

The Appropriations Subcommittee on Public Safety and Judiciary recommends the following pass: CS for SB 954 with 3 amendments, CS for CS for SB 1092 with 1 amendment, CS for SB 1534 with 1 amendment

The Appropriations Subcommittee on Education recommends a committee substitute for the following: CS for SB 2108

The Appropriations Subcommittee on General Government recommends committee substitutes for the following: CS for SB's 336 and 190, CS for SB 1374

The Appropriations Subcommittee on Health and Human Services recommends committee substitutes for the following: CS for SB 1096, CS for SB 1456, CS for SB 2092, SJR 2236

The Appropriations Subcommittee on Public Safety and Judiciary recommends committee substitutes for the following: SB 1002, CS for SB 1666

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

**INTRODUCTION AND REFERENCE OF BILLS**

**FIRST READING**

By Senator Clary—

**SB 2312**—A bill to be entitled An act relating to Okaloosa County; amending ch. 90-412, Laws of Florida; changing the name of the Fort Walton Beach Area Bridge Authority to the Emerald Coast Bridge Authority; reducing the number of members of the authority from seven to five; amending the method of appointment of members of the authority; changing the date by which the authority shall prepare and submit a budget; requiring the board of county commissioners to examine the budget in good faith; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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**SR 2314**—Not referenced.

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**SR 2316**—Introduced and adopted April 18.

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By Senator Clary—

**SB 2318**—A bill to be entitled An act relating to Okaloosa County; amending chapter 99-478, Laws of Florida, relating to the Ocean City-Wright Fire Control District; providing for the annexation of certain unincorporated areas of Okaloosa County into the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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**SR 2320**—Introduced and adopted April 20.

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**Senate Resolutions 2322 and 2324**—Introduced and adopted April 18.

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By Senator Dawson—

**SB 2326**—A bill to be entitled An act relating to Broward County; providing for extending the corporate limits of the cities of Fort Lauderdale and Dania Beach; providing for annexation of specified unincorporated land; preserving certain uses of property; prohibiting certain changes in land use designation or zoning; providing for an election; providing for an effective date of annexation; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Senator Dawson—

**SB 2328**—A bill to be entitled An act relating to the North Springs Improvement District, Broward County; amending chapter 71-580, Laws of Florida, as amended; increasing the board of supervisors to a total of five members; providing for elections by electors residing within the district; providing for regular and special board meetings instead of landowner meetings; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.  
—was referred to the Committee on Rules and Calendar.

**SR 2330**—Introduced and adopted April 18.

By Senator Laurent—

**SB 2332**—A bill to be entitled An act relating to the Sebring Airport Authority, Highlands County; amending s. 8, ch. 67-2070, Laws of Florida, as amended; increasing the threshold for requiring bids for the purchase of property and services; amending s. 3, ch. 67-2070, Laws of Florida, as amended; including additional property under the jurisdiction of the authority; amending s. 4, ch. 67-2070, Laws of Florida, as amended; providing that an affirmative vote of a majority of the members present at a meeting where there is a quorum shall be necessary for any action by the board; providing an effective date.

Proof of publication of the required notice was attached.  
—was referred to the Committee on Rules and Calendar.

**SR 2334**—Not referenced.

**SR 2336**—Introduced and adopted April 20.

By Senator Dawson—

**SB 2338**—A bill to be entitled An act relating to Broward County; providing for extending the corporate limits of the Town of Pembroke Park; providing for annexation of unincorporated areas within Broward County; providing for revision of the Charter of the Town of Pembroke Park; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.  
—was referred to the Committee on Rules and Calendar.

By Senator Dawson—

**SB 2340**—A bill to be entitled An act relating to the City of Coral Springs, Broward County; extending and enlarging the corporate limits of the City of Coral Springs to include specified unincorporated lands within said corporate limits; providing for land use and zoning designations; providing an effective date.

Proof of publication of the required notice was attached.  
—was referred to the Committee on Rules and Calendar.

By Senator Dawson—

**SB 2342**—A bill to be entitled An act relating to Broward County; providing for extending the corporate limits of the City of Fort Lauderdale; providing for annexation of the unincorporated area known as Melrose Park; providing for an election; providing for an effective date of annexation; providing for an interlocal agreement; providing legislative intent; providing for a continuation of certain Broward County regu-

lations; providing for the transfer of public roads and rights-of-way; providing an effective date.

Proof of publication of the required notice was attached.  
—was referred to the Committee on Rules and Calendar.

By Senator Peaden—

**SB 2344**—A bill to be entitled An act relating to Escambia County; providing for codification of special laws regarding special districts pursuant to chapter 97-255, Laws of Florida, relating to the Pensacola-Escambia Governmental Center Authority, a special district in Escambia County; providing legislative intent; amending, repealing, codifying, and reenacting special acts related to the district; declaring the Authority to be a dependent special district; providing a district charter; providing an effective date.

Proof of publication of the required notice was attached.  
—was referred to the Committee on Rules and Calendar.

By Senator Carlton—

**SB 2346**—A bill to be entitled An act relating to the Tri-Par Estates Park and Recreation District, Sarasota County; providing for codification of special laws relating to the Tri-Par Estates Park and Recreation District, a special district of the state; providing boundaries of the district; providing for election of a Board of Trustees; authorizing the Board of Trustees to levy a special assessment; providing powers and duties of the Board of Trustees; authorizing the Board of Trustees to issue bonds and other obligations; providing a procedure for abolishing the district; requiring that certain contracts be approved by a vote of the electors residing in the district; repealing chapters 78-618, 81-492, 83-521, 85-497, 88-465, 90-402, Laws of Florida; providing for severability; providing for the act to control in the event of conflict; providing for construction of the act; providing an effective date.

Proof of publication of the required notice was attached.  
—was referred to the Committee on Rules and Calendar.

By Senator Carlton—

**SB 2348**—A bill to be entitled An act relating to the Englewood Area Fire Control District in Sarasota and Charlotte Counties; codifying, reenacting, amending, and repealing special laws relating to the district; providing that the district is an independent special district; providing legislative intent; providing for applicability of chapters 191 and 189, Florida Statutes, and other general laws; providing a district charter; providing boundaries; providing for a district board; providing authority of the board; providing for staff; providing duties and powers of the board; providing for elections to the board; providing salary of board members; providing for removal of board members; providing for revenue raising; providing for the levying of non-ad valorem assessments; providing for capital improvement impact fees; providing severability; providing for liberal construction; providing that this act shall take precedence over any conflicting law to the extent of such conflict; providing an effective date.

Proof of publication of the required notice was attached.  
—was referred to the Committee on Rules and Calendar.

By Senator Saunders—

**SB 2350**—A bill to be entitled An act relating to Collier Mosquito Control District, an independent special tax district in Collier County, Florida; ratifying and confirming the creation of Collier Mosquito Control District pursuant to chapter 390, F.S. (1949), as an independent mosquito control district; providing for codification of special laws regarding special districts pursuant to s. 189.429, F.S.; providing legislative intent; providing for applicability of chapters 388 and 189, F.S., and

other general laws; providing a district charter; providing for amended district boundaries on October 1, 2001; providing for liability and group insurance; providing for repeal of prior special acts related to Collier Mosquito Control District; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Dawson—

**SB 2352**—A bill to be entitled An act relating to the Pine Tree Water Control District, Broward County; codifying, repealing, amending, and reenacting special acts relating to the district; providing legislative intent; deleting gender-specific references; providing a district charter; providing that this act shall take precedence over any conflicting law to the extent of such conflict; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Miller—

**SB 2354**—A bill to be entitled An act relating to the Manatee County Mosquito Control District; codifying, reenacting, amending, and repealing special acts relating to the district; providing a charter; providing for formation as an independent special district; providing boundaries of the district; providing for the election of commissioners and operation of the district in accordance with ch. 388, F.S.; providing for district powers, functions, and duties; providing for construction and effect; providing for an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Miller—

**SB 2356**—A bill to be entitled An act relating to the Cedar Hammock Fire Control District and the Southern Manatee Fire and Rescue District, Manatee County; providing for merger of the two districts pursuant to s. 191.014, F.S.; creating the South Manatee Fire & Rescue District; providing legislative intent; providing for incorporation as a special fire control district; providing district boundaries; providing for election and duties of a governing board of said district; providing for non-ad valorem assessments and impact fees; providing a schedule of non-ad valorem assessments; providing for district powers, functions, and duties; authorizing employees of the South Manatee Fire & Rescue District to exercise certain choices with regard to retirement plans; providing for construction and effect; providing for repeal of chapters 2000-391 and 2000-402, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Miller—

**SB 2358**—A bill to be entitled An act relating to Bayshore Gardens Park and Recreation District, Manatee County; codifying, reenacting, amending, and repealing special acts relating to the district; providing legislative intent; providing district status and boundaries; providing for applicability of chapters 418 and 189, F.S., and other general laws; providing a district charter; providing for liberal construction; providing a saving clause in the event any provision of the act is deemed invalid; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Geller—

**SB 2360**—A bill to be entitled An act relating to the Barron Water Control District, an independent special district in Glades County and Hendry County, codifying the District’s charter pursuant to section 189.429, Florida Statutes; providing legislative intent; amending, codifying, and reenacting the special laws relating to the Barron Water Control District as a single act; declaring the status of the District; providing for the corporate life of the District and the term of office of the supervisors of the District; repealing chapters 84-436 and 2000-416, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Saunders—

**SB 2362**—A bill to be entitled An act relating to the Fort Myers Beach Mosquito Control District, Lee County; providing legislative intent; providing for codification of the special acts relating to the District pursuant to s. 189.429, F.S.; codifying, reenacting, and amending all prior special acts relating to the District; codifying the several county resolutions relating to the District; providing a District charter; deleting gender-specific references; repealing all prior special acts relating to the District; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Sebesta, Lee, Miller and Crist—

**SB 2364**—A bill to be entitled An act relating to Hillsborough County; compiling, codifying, and revising chapter 83-423, Laws of Florida, as amended, relating to the Public Transportation Commission; removing gender-specific references; providing legislative intent; protecting the rights of commission employees; creating the commission; providing that the commission is an independent special district; prohibiting discriminatory practices; providing for, amending, and adding definitions; providing for the composition of the commission and its procedures; providing for, amending, and adding mandatory and discretionary powers, including the addition of civil penalties and an automatic lien under certain circumstances; providing for commission staff; providing for and amending an application for certificate process, including establishing public convenience and necessity and procedures for resubmission upon denial; providing for a public vehicle driver’s license and adding that a person convicted of being a sexual offender or sexual predator may be denied such licensure and that any such licensure must be revoked upon conviction as a sexual offender or sexual predator; providing penalties; adding provisions relating to citations, administrative hearings in connection with citations, and appeals procedures; adding procedures relating to variances and waivers and an appeals procedure; providing for county responsibility in funding the commission; adding a provision relating to recodification; adding a limited savings clause for rules of the commission; providing for dissolution; providing a severance clause; repealing chapters 83-423, 87-496, 88-493, 95-490, and 2000-441, Laws of Florida, relating to the public transportation commission; providing a savings clause; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Bronson—

**SB 2366**—A bill to be entitled An act relating to Brevard County; providing for codification of existing special laws relating to the creation, powers, and duties of the Melbourne-Tillman Water Control District, a dependent special district in Brevard County, as provided in chapters 86-418, 90-401, 91-341, 92-239, and 94-424, Laws of Florida, except as amended by this act; providing legislative purpose; amending definitions of “District,” “general obligation bonds,” and “revenue bonds”; amending scope of revenue sources allowed to be bonded; clarifying provisions

relating to liens, collection, and foreclosure to include special assessments and stormwater management user fees; amending liability of District where lands are made available to public for outdoor recreational purposes, as defined therein; providing editorial revisions; establishing obstruction or impeding of a drainage canal or watercourse as a criminal offense; providing for civil damages for obstruction and impeding drainage canal or watercourse; amending, codifying, reenacting, and repealing chapters 86-418, 90-401, 91-341, 92-239, and 94-424, Laws of Florida; re-creating the District and re-creating and reenacting the charter; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Clary—

**SB 2368**—A bill to be entitled An act relating to Santa Rosa County; amending chapter 79-561, Laws of Florida, as amended, relating to the Santa Rosa County Civil Service Board; providing a revised definition of “disciplinary action”; providing an extended probationary period for entry-level communications dispatcher positions; expanding training program provisions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committees on Judiciary; Criminal Justice; and Senator Silver—

**CS for CS for SB 180**—A bill to be entitled An act relating to computer and computer-related crimes; amending s. 815.03, F.S.; providing definitions; repealing s. 815.05, F.S., which provides definitions; amending s. 815.06, F.S.; prescribing offenses against computer equipment or supplies, computers, computer systems, and computer networks; providing penalties; amending s. 16.56, F.S.; adding violations of computer and computer-related crimes under ch. 815, F.S.; expanding prosecutorial jurisdiction of the Office of Statewide Prosecution; amending s. 905.34, F.S.; expanding subject-matter jurisdiction of the statewide grand jury to include violations of computer and computer-related crimes under ch. 815, F.S.; providing an effective date.

By the Committees on Appropriations; Comprehensive Planning, Local and Military Affairs; and Senators Constantine, Clary and Crist—

**CS for CS for SB's 336 and 190**—A bill to be entitled An act relating to the Florida Building Code; amending s. 373.323, F.S.; authorizing water well contractors to install, repair, or modify specified equipment in accordance with the code; amending s. 489.509, F.S.; transferring specified licensing fees from the Department of Education to the Department of Community Affairs; amending ss. 553.36, 553.415, F.S.; defining the term “factory-built school shelter”; providing for the department to approve plans for such shelters; authorizing districts to charge inspection fees; authorizing approved inspection entities to conduct inspections of factory-built school buildings while they are under construction; delaying the deadline for inspecting factory-built buildings currently in use; amending ss. 553.505, 553.507, F.S.; conforming cross-references; amending s. 553.73, F.S.; providing for the uniform implementation of parts of the residential swimming pool safety act; defining the term “specific needs” for purposes of selection from available codes; providing a process for the approval of technical amendments to the code; providing for the treatment of permit applications submitted prior to the effective date of the code; exempting specified structures from the wind-borne-debris-impact standards of the Florida Building Code; amending s. 553.77, F.S.; requiring the commission to issue specified declaratory statements; providing for hearings; providing for rules for plan review of prototype buildings; authorizing the commission to produce a commentary to accompany the Florida Building Code; amending s. 553.79, F.S.; requiring the code to establish standards for preliminary construction; creating s. 553.8412, F.S.; providing for statewide outreach for

training on the code; amending s. 553.842, F.S.; providing methods for local and statewide approval of products, methods, and systems of construction; providing rulemaking authority; amending s. 553.895, F.S.; exempting specified spaces within telecommunications buildings under specified circumstances; allowing the use of a manual wet standpipe under certain circumstances; directing the commission to research some issues and provide reports to the Legislature; amending s. 135 of ch. 2000-141, Laws of Florida, and ss. 62(2) and 68 of ch. 98-287, Laws of Florida, as amended; providing an effective date for the Florida Building Code; requiring that the Florida Building Commission appoint members to the commission's Education Technical Advisory Committee; specifying duties of the advisory committee; providing for the carryforward of funds collected for research projects; requiring the Florida Building Commission to convene an ad hoc subcommittee to recommend procedures for engaging an engineer or architect to perform plans review and inspections; requiring recommendations for the role of local building officials in issuing building permits and certificates of occupancy; providing for appointment of members; providing for meetings and staff support by the Department of Community Affairs; requiring a report to the Governor and the Legislature by a specified date; amending s. 663.0215, F.S.; delaying the date on which the State Fire Marshal is required to adopt a statewide firesafety code; providing an appropriation; providing an effective date.

By the Committee on Regulated Industries; and Senator Geller—

**CS for SB 348**—A bill to be entitled An act relating to condominiums; amending s. 718.1255, F.S., relating to alternative dispute resolution procedures; providing for the expedited handling of any allegation of an irregularity in the election of any director of the board of administration of a condominium; amending s. 702.09, F.S.; revising the definitions of the terms “mortgage” and “foreclosure proceedings”; amending s. 718.104, F.S.; revising provisions with respect to declarations for the creation of a condominium; amending s. 718.106, F.S.; revising provisions with respect to appurtenances that pass with a condominium unit; amending s. 718.110, F.S.; revising provisions with respect to amendments to a declaration of condominium; amending s. 718.111, F.S.; revising provisions with respect to the association; amending s. 718.112, F.S.; revising provisions with respect to bylaws; amending s. 718.113, F.S.; revising provisions with respect to material alterations of common elements or association real property operated by a multicondominium association; amending s. 718.115, F.S.; revising provisions with respect to common expenses; amending s. 718.405, F.S.; revising provisions with respect to multicondominiums and multicondominium associations; amending s. 718.504, F.S.; revising provisions with respect to the prospectus or offering circular; providing an effective date.

By the Committees on Judiciary; Children and Families; and Senators Carlton and Peadar—

**CS for CS for SB 374**—A bill to be entitled An act relating to elderly persons and disabled adults; amending s. 825.101, F.S.; defining the term “position of trust and confidence”; amending s. 772.11, F.S.; prescribing civil remedies for theft and other offenses in which the victim is an elderly person or disabled adult; providing that a violation of patient rights is not a cause of action under the act; providing for continuation of a cause of action upon the death of the elderly person or disabled adult; authorizing the court to advance a trial on the docket which involves a victim who is an elderly person or disabled adult; creating s. 744.1083, F.S.; providing guidelines for the registration of public guardians; authorizing rulemaking; amending s. 744.534, F.S.; revising provisions relating to disposition of unclaimed funds; amending s. 744.703, F.S.; authorizing the establishment of public guardian offices; providing for the staffing of offices; creating s. 744.7082, F.S.; defining the term “direct-support organization”; providing for the purposes of a direct-support organization; providing an effective date.

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

**CS for SB 422**—A bill to be entitled An act relating to prekindergarten early-intervention programs; amending s. 230.2305, F.S.; requiring the Florida Partnership for School Readiness to make recommendations to expand the prekindergarten early-intervention program to provide

access to at-risk 4-year old children on a fee basis; requiring a report; providing an effective date.

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

**CS for SB 872**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 122.0515, F.S., relating to special risk membership; revising criteria for members employed as firefighters, emergency medical technicians, or paramedics; adding specified classes of members employed within a correctional or forensic facility or institution; amending s. 121.055, F.S., relating to the Senior Management Service Class; requiring participation in the class by assistant attorneys general; amending s. 121.4501, F.S.; redefining the term “approved provider” for purposes of the Public Employee Optional Retirement Program; revising requirements for transferring a member’s optional program account to the defined benefit plan; providing requirements for the State Board of Administration in administering the program; revising requirements for the board in selecting providers of investment products; requiring that providers comply with federal and state securities and insurance laws and rules governing the ethical marketing of investment products; requiring that the board develop procedures for resolving complaints of participants; prohibiting providers from selling or distributing customer lists generated through the optional retirement program; providing effective dates.

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By the Committee on Judiciary; and Senator King—

**CS for SB 910**—A bill to be entitled An act relating to administrative procedure; amending s. 57.111, F.S.; redefining the term “small business party”; increasing the limitation on attorney’s fees and costs; amending s. 120.52, F.S.; redefining the term “agency”; amending s. 120.569, F.S.; revising requirements for pleadings, motions, and other papers filed under the Administrative Procedure Act; providing for sanctions; amending s. 120.595, F.S.; redefining the term “improper purpose” for determining an award of attorney’s fees; amending s. 373.114, F.S.; providing that water management district orders resulting from certain evidentiary hearings are not subject to specified review; amending s. 403.412, F.S.; restricting persons without substantial interests from initiating specified proceedings under the Environmental Protection Act; providing an effective date.

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By the Committee on Banking and Insurance—

**CS for SB 1188**—A bill to be entitled An act relating to insurance; amending s. 440.02, F.S.; revising definitions of terms used in chapter 440, F.S.; amending s. 440.05, F.S.; revising exemptions from the requirement for employers to obtain workers’ compensation coverage; specifying who may be exempt and the conditions for an exemption; specifying the effect of an exemption; requiring businesses, sole proprietors, and partners to maintain certain records; amending s. 440.06, F.S.; requiring employers to secure workers’ compensation coverage; amending s. 440.09, F.S.; requiring compensation for accidental compensable injuries; amending s. 440.10, F.S.; revising references to persons who are exempt from coverage to conform; amending s. 440.107, F.S.; authorizing the Division of Workers’ Compensation to issue stop-work orders in certain circumstances; amending s. 440.13, F.S.; specifying the value of nonprofessional attendant care provided by a family member that is reimbursable; requiring the carrier to give the employee the opportunity to change physicians under certain circumstances and limitations; revising the effect of an independent medical examination; limiting the admissibility of certain medical opinions; revising the limitation on medical fees; amending s. 440.134, F.S.; revising the definitions applied to workers’ compensation managed care arrangements; eliminating provisions mandating the use of such arrangements; revising the procedures governing grievances related to such arrangements; amending s. 440.14, F.S.; revising the computation of the average weekly wage of an employee for the purposes of determining benefits; amending s. 440.15, F.S.; revising the criteria for permanent total disability; revising the compensation rate for impairment income benefits; amending s. 440.185, F.S.; specifying the information that must be included in a report of injury; amending s. 440.191, F.S.; requiring the Employee Assistance and Ombudsman Office to initiate contact with an injured

employee to discuss rights and responsibilities; revising other duties of the office; eliminating provisions governing informal dispute-resolution procedures; amending s. 440.192, F.S.; revising the procedures for resolving benefit disputes and filing petitions for benefits; specifying the information that must be included in a petition for benefits; amending s. 440.20, F.S.; prescribing the criteria for determining when a lump-sum settlement may be entered; specifying the effect of a lump-sum settlement; amending s. 440.25, F.S.; revising the procedures governing mediation and the hearing of claims; amending s. 440.29, F.S.; requiring opinions of independent medical examiners to be received into evidence under certain conditions; amending s. 440.34, F.S.; revising the limit on the amount of attorney’s fees that may be approved by a judge of compensation claims and eliminating factors that the judge must consider; applying such limits to any agreement related to benefits under chapter 440, F.S.; amending s. 440.345, F.S.; requiring the reporting of attorney’s fees to the Office of the Judges of Compensation Claims and requiring the Office of the Judges of Compensation Claims to report such data to the Legislature and Governor; amending s. 440.39, F.S.; providing that the section does not impose a duty on the employer to preserve evidence; amending s. 627.412, F.S.; providing that a public entity or agency may purchase a consolidated insurance program for public construction projects; repealing s. 440.4416, F.S., which creates the Workers’ Compensation Oversight Board; repealing s. 440.45(3), F.S.; eliminating the requirement that the Chief Judge select judges to rotate as docketing judges; requiring the Department of Insurance to conduct a study and submit a report to the Legislature related to health insurance coverage for workplace injuries; providing for severability; providing an effective date.

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By the Committees on Appropriations; Criminal Justice; and Senators Smith and Crist—

**CS for CS for SB 1196**—A bill to be entitled An act relating to sentencing; amending ss. 921.002, 921.0024, F.S.; providing for the state attorney and the defendant to waive preparation of the scoresheet and for the judge to proceed with sentencing; requiring that the scoresheet be submitted to the judge within a specified period following sentencing; deleting a requirement that the Department of Corrections prepare a defendant’s sentencing scoresheet under certain circumstances; providing an effective date.

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By the Committee on Transportation; and Senator Carlton—

**CS for SB 1288**—A bill to be entitled An act relating to the Florida Safety Belt Law, creating the “Dori Slosberg Act of 2001”; amending s. 316.614, F.S.; revising provisions relating to safety belt usage; prohibiting searches of vehicles or occupants because of a safety belt violation; providing an effective date.

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By the Committees on Appropriations; Ethics and Elections; and Senators Carlton and Dawson—

**CS for CS for SB 1374**—A bill to be entitled An act relating to elections; amending s. 97.021, F.S.; revising definitions; amending ss. 98.471, 100.341, 100.361, F.S.; removing provisions relating to voting systems that use voting machines or paper ballots; amending s. 101.015, F.S.; requiring the Division of Elections to review the voting systems certification standards to ensure that new technologies are available and appropriately certified for use; amending s. 101.151, F.S.; modifying specifications for ballots; requiring the Department of State to adopt rules prescribing uniform ballots; amending ss. 101.21, 101.24, 101.292, 101.341, 101.43, 101.49, 101.58, 101.71, 101.75, 104.30, 138.05, F.S.; removing provisions relating to voting machines and updating references, to conform; amending s. 101.5603, F.S.; deleting references to punchcard marking and voting devices; amending s. 101.5604, F.S.; providing for the use of precinct tabulation electronic or electromechanical voting systems in each county; amending s. 101.5606, F.S.; providing additional requirements for electronic and electromechanical voting systems; prohibiting the use of punchcard voting systems; amending s. 101.5614, F.S.; removing references to canvassing returns at central or regional locations, to conform; creating s. 101.595, F.S.; requiring supervisors of elections and the Department of State to report on overvotes and undervotes following the general election; amending s. 103.101,

F.S., relating to the form of the presidential preference primary, to conform; amending s. 582.18, F.S., relating to the election of district supervisors; conforming a cross-reference; repealing ss. 100.071, 101.141, 101.181, 101.191, 101.251, 101.5609, F.S., relating to the specification and form of ballots, to conform; repealing ss. 101.011, 101.27, 101.28, 101.29, 101.32, 101.33, 101.34, 101.35, 101.36, 101.37, 101.38, 101.39, 101.40, 101.445, 101.45, 101.46, 101.47, 101.54, 101.55, 101.56, 102.012(7), F.S., relating to voting machines, to conform; amending s. 97.021, F.S.; revising the definitions of the terms "absent elector" and "primary election"; providing additional definitions; creating s. 101.048, F.S.; providing procedures for voting and counting provisional ballots; amending s. 101.045, F.S.; requiring verification of an elector's eligibility if the elector's name is not on the precinct register; amending s. 101.5614, F.S.; providing for the return of provisional ballots to the supervisor of elections; providing for the canvass of provisional ballots; clarifying the standard for counting votes on spoiled ballots; amending s. 101.69, F.S.; allowing a voter who has requested an absentee ballot and who decides to vote at the polls on election day to vote a provisional ballot, if the absentee ballot is not returned; amending s. 102.111, F.S.; changing the composition of the Elections Canvassing Commission; revising deadlines for county returns; amending s. 102.112, F.S.; revising deadlines for certification of election results; requiring the acceptance of late-filed election returns in certain circumstances; increasing the fine for filing late-filed election returns; amending s. 102.141, F.S.; requiring the county canvassing board to provide public notice of time and place of the canvass of provisional ballots; modifying deadlines for submitting unofficial returns; revising requirements for an automatic machine recount; amending s. 102.166, F.S.; substantially modifying standards and procedures for manual recounts; amending s. 102.168, F.S.; revising the grounds for an election contest; creating s. 102.135, F.S.; prohibiting a member of the Elections Canvassing Commission or a member of the county canvassing board from rendering a post-election decision that may affect the outcome of any race in which the member publicly endorsed or solicited contributions; creating s. 97.0555, F.S.; providing for registration of certain military and overseas persons; requiring the Department of State to adopt rules specifying eligibility; creating s. 101.6951, F.S.; providing for a state write-in absentee ballot for overseas voters; creating s. 101.6952, F.S.; providing for absentee ballots for overseas voters; creating s. 101.697, F.S.; providing for absentee ballot requests and voting via electronic transmission by overseas voters under certain circumstances; creating s. 101.698, F.S.; authorizing the Elections Canvassing Commission to adopt emergency rules during crises to facilitate absentee voting; amending s. 101.62, F.S.; modifying information on absentee ballot requests; amending s. 101.64, F.S.; modifying absentee ballot certificates; amending s. 101.65, F.S.; modifying instructions to absent electors; amending s. 101.657, F.S., relating to voting absentee ballots; conforming provisions; amending s. 101.68, F.S.; modifying information that must be included on an absentee ballot; authorizing the processing of absentee ballots through tabulations for a specified period before the election; amending s. 104.047, F.S.; deleting a prohibition against persons witnessing more than five ballots in an election and a prohibition against returning more than two ballots in an election, and the penalties therefor; repealing ss. 101.647, 101.685, F.S., relating to returning absentee ballots and absentee ballot coordinators; amending s. 98.255, F.S.; providing for voter education; amending s. 101.031, F.S.; providing for a Voter's Bill of Rights and Responsibilities; providing responsibilities of supervisors of elections; amending s. 101.131, F.S.; eliminating a requirement to call out names of voters; creating s. 102.014, F.S.; providing for pollworker recruitment and training; repealing s. 102.012(8) and (9), relating to pollworker training; amending s. 97.073, F.S.; revising procedures to be followed when a voter registration application is incomplete; amending s. 98.015, F.S.; providing for the nonpartisan election of supervisors of elections; amending s. 105.031, F.S.; requiring candidates for supervisor of elections to pay a qualifying fee, subscribe to an oath, and file certain items in order to qualify for election; amending s. 105.035, F.S.; providing alternative procedures for candidates for supervisor of elections to qualify for election; amending s. 105.041, F.S.; providing for the form of the ballot for candidates for supervisor of elections; providing for write-in candidates for supervisor of elections; amending s. 105.051, F.S.; providing for determination of election to office of candidates for supervisor of elections; amending s. 105.061, F.S.; providing that supervisors of elections are to be elected by vote of the qualified electors of the county; amending s. 105.08, F.S.; providing requirements for candidates for supervisor of elections with respect to campaign contributions and expenses and their reporting; repealing s. 100.091, F.S., to eliminate the second primary election; repealing s. 100.096, F.S., relating to the holding of special elections in conjunction with the second primary election, to conform; amending ss.

97.055, 97.071, 97.1031, 98.081, F.S., relating to restrictions on changing party affiliation between primary elections, to conform; amending ss. 99.061, 99.095, F.S., relating to qualifying for nomination or election to office, to conform; amending s. 99.063, F.S.; adjusting the date to designate a Lieutenant Governor running mate, to conform; amending ss. 99.103, 100.061, 100.081, 100.111, 100.141, 101.252, 101.62, 102.168, 103.021, 103.022, 103.091, 105.031, 105.041, 105.051, 106.07, 106.08, 106.29, F.S.; revising references, to conform to the elimination of the second primary election; amending s. 236.25, F.S.; allowing certain school districts to levy, by referendum, additional district school taxes; providing limitations on the uses of the resulting revenues; amending s. 236.31, F.S.; providing for millage elections pursuant to s. 236.25, F.S.; amending s. 236.32, F.S.; revising the procedures for conducting school district millage elections; amending s. 97.041, F.S.; providing for automatic restoration of former felons' right to vote following completion and satisfaction of sentence of incarceration and community supervision; providing conditions on such automatic restoration; amending ss. 97.052, 97.053, F.S., to conform; providing an appropriation for the design of a statewide voter registration database; providing requirements for the database; repealing s. 98.0975, F.S., relating to the central voter file maintained by the Division of Elections; providing for the appropriation from the General Appropriations Act to be used to implement the provisions of the act; providing effective dates.

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By the Committees on Appropriations; Health, Aging and Long-Term Care; and Senators Saunders, Peaden, Campbell, Pruitt, Smith, Latvala, Dawson, Brown-Waite and Wasserman Schultz—

**CS for CS for SB 1456**—A bill to be entitled An act relating to health care facilities; creating the Florida Alzheimer's Training Act; creating ss. 400.1755, 400.4786, 400.55715, 400.626, F.S.; prescribing training standards for employees of nursing homes, home health agencies, adult day care centers, and adult family-care homes, respectively, that provide care for persons with Alzheimer's disease or related disorders; prescribing duties of the Department of Elderly Affairs; providing for compliance with guidelines within a certain time period; authorizing the department to enter into an agreement for evaluation of trainers and materials; providing legislative findings and intent; requiring dementia-specific care providers to be included in community care service systems; providing an effective date.

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By the Committee on Natural Resources; and Senator Bronson—

**CS for SB 1512**—A bill to be entitled An act relating to water supply policy; creating s. 373.621, F.S.; recognizing the significance of water conservation; requiring consideration of the implementation of water conservation practices in water-use permitting; creating s. 570.081, F.S.; providing for the Department of Agriculture and Consumer Services to establish an agricultural water conservation program; specifying the elements of the program; requiring certain water management districts to develop and finance public-private alternative water supply-projects; amending s. 373.1961, F.S.; requiring the Public Service Commission to allow certain alternative water-supply facilities to recover the costs incurred for alternative water supplies through their rate structures; providing an effective date.

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By the Committee on Natural Resources; and Senators Peaden, Bronson, Clary, Mitchell, Latvala, Pruitt and Smith—

**CS for SB 1560**—A bill to be entitled An act relating to the Department of Environmental Protection; creating s. 120.551, F.S.; directing the Department of Environmental Protection and the State Technology Office to establish a pilot project to test the cost-effectiveness of publication of notices on the Internet in lieu of publication in the Florida Administrative Weekly; directing the Department of State to publish notice of the pilot project; requiring that the Department of Environmental Protection, the State Technology Office, and the Department of State submit a joint report on the cost-effectiveness of publication of such notices on the Internet; providing an effective date.

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By the Committee on Banking and Insurance; and Senators Sebesta, Crist and Cowin—

**CS for SB 1568**—A bill to be entitled An act relating to health care service programs; amending s. 641.51, F.S.; requiring that only certain physicians licensed in this state may render adverse determinations for health maintenance organizations and prepaid health clinics; clarifying the authority of the Board of Medicine and the Board of Osteopathic Medicine; providing an effective date.

By the Committee on Judiciary; and Senator Bronson—

**CS for SB 1628**—A bill to be entitled An act relating to civil actions for libel; creating s. 770.011, F.S.; creating the "Media Accuracy and Fairness Act"; providing definitions; providing scope of the act; providing circumstances under which a person may maintain a civil action for defamation; specifying time limit for timely request of a correction or clarification; providing criteria for adequacy of correction or clarification; tolling the period of limitation for commencement of a defamation action; providing procedure with respect to disclosure of evidence or falsity with respect to an alleged defamatory statement; providing requirements for timely and sufficient correction or clarification; providing requirements and procedure with respect to challenges to correction or clarification or to a request for correction or clarification; requiring specified notice; providing requirements and procedure with respect to an offer to correct or clarify prior to trial; specifying recoverable costs and damages in actions when an offer to correct or clarify is not accepted; providing for scope of protection with respect to correction or clarification; providing for admissibility of evidence with respect to corrections or clarifications; providing construction; repealing s. 770.01, F.S., relating to the serving of specified written notice as a condition precedent to action or prosecution for libel or slander; repealing s. 770.02, F.S., relating to correction, apology, or retraction by a newspaper or broadcast station for statements in an article or broadcast alleged to be false and defamatory; providing severability; providing an effective date.

By the Committee on Appropriations; and Senator Horne—

**CS for SB 1784**—A bill to be entitled An act relating to state planning and budgeting; amending s. 216.011, F.S.; modifying the definition of the term "operating capital outlay"; amending s. 216.013, F.S.; removing the requirement for the Executive Office of the Governor to consider certain findings relating to information technology in its review of long-range program plans of executive agencies; requiring long-range program plans to be consistent with legislation implementing the General Appropriations Act; amending s. 216.023, F.S.; revising requirements of legislative budget requests; requiring legislative budget requests to include an inventory of litigation requiring additional appropriations or changes in the law; providing for update of such inventory; revising requirements of legislative budget requests relating to the total number of positions and to unit-cost data; providing for reducing funding of agencies that do not comply; amending s. 216.0446, F.S.; correcting terminology; amending s. 216.136, F.S.; revising provisions relating to estimating conferences; amending s. 216.177, F.S.; revising the manner in which requests regarding legislative intent on the General Appropriations Act are to be made; revising requirements relating to notice of action on appropriations to be taken by the Executive Office of the Governor or the Chief Justice of the Supreme Court; amending s. 216.181, F.S.; authorizing the Chief Justice to amend, without approval of the Legislative Budget Commission, judicial branch entity budgets to reflect transferred funds based on the approved plans for lump-sum appropriations; requiring approval of the Legislative Budget Commission for certain adjustments to approved salary rate; providing circumstances under which lump-sum bonuses may be provided; requiring quarterly reporting of positions filled, positions vacant, and the salary rate associated with each category; granting the Legislative Budget Commission authority to approve specified state trust fund appropriations; creating s. 216.1815, F.S.; providing for an agency and judicial branch incentive and savings program; providing requirements; creating s. 216.1826, F.S.; providing for activity-based planning and budgeting; amending s. 216.192, F.S.; conforming provisions; amending s. 216.216, F.S.; providing restrictions on the expenditure of funds for court settlements negotiated by the state; amending s. 216.221, F.S.; providing requirements for the elimination of a deficit in a trust fund; amending s. 216.262, F.S.; specifying authority

of the Executive Office of the Governor to increase the number of positions; amending s. 216.292, F.S.; conforming provisions; adding food products as an allowable fund transfer category; authorizing transfer of positions under certain circumstances; authorizing transfers of appropriations for operations from trust funds in excess of certain amounts under certain conditions; amending s. 11.90, F.S.; establishing the chair and vice chair of the Legislative Budget Commission each year; eliminating the election of such officers; amending ss. 27.345, 27.3451, F.S.; correcting cross-references; creating s. 27.385, F.S.; reenacting provisions related to expenditures of appropriated funds by state attorneys; requiring a report; creating s. 27.605, F.S.; reenacting provisions related to expenditures of appropriated funds by public defenders; requiring a report; amending s. 45.062, F.S.; requiring certain notification and reporting with respect to executive branch settlements; saving s. 215.20(3), F.S., relating to an additional trust fund service charge, from scheduled repeal; amending s. 284.385, F.S.; requiring assigned counsel to report to the covered department on the status of casualty claims or litigation; prohibiting compromise or settlement of a casualty claim without prior notification to the covered department; amending s. 376.15, F.S.; correcting a cross-reference; providing an effective date.

By the Committee on Regulated Industries; and Senator Sanderson—

**CS for SB 1824**—A bill to be entitled An act relating to electrical and alarm system contracting; amending s. 489.505, F.S.; providing and deleting definitions; amending s. 489.507, F.S.; revising membership of the Electrical Contractors' Licensing Board; providing rulemaking authority to the board to implement the local certification licensure category; requiring the board to review its operations to determine whether there are functions or services of the board that can be outsourced to increase productivity; providing for transition from registration to local certification; amending s. 489.509, F.S.; revising and providing fees; creating s. 489.512, F.S.; providing for local certification of registered electrical and alarm system contractors; providing requirements with respect to local certification; providing for expiration of such licensure category; repealing s. 489.513, F.S., to eliminate registration of electrical and alarm system contracting; revising various provisions of pt. II, ch. 489, F.S., relating to electrical and alarm system contracting, to conform; amending s. 489.514, F.S.; extending certification grandfathering provisions to local certificateholders; amending s. 489.516, F.S.; requiring persons desiring to engage in electrical or alarm system contracting in the state to be certified; deleting the requirement to pay the fee for a local occupational license; amending s. 489.517, F.S.; providing for quadrennial renewal of certificates; revising continuing education requirements, to conform; amending s. 489.5185, F.S.; revising certain time limits; providing for quadrennial renewal of identification cards of fire alarm system agents; revising continuing education requirements, to conform; amending s. 489.521, F.S.; deleting requirements of business organizations relating to local occupational licenses; amending s. 489.537, F.S.; deleting provisions that preserve the power of counties and municipalities to collect local occupational license and inspection fees, require a bond for each electrical contractor, and create local boards; deleting provisions relating to registration; amending s. 489.5335, F.S.; providing for a statewide journeyman competency card; requiring a fee; amending ss. 489.503, 489.510, 489.511, 489.515, 489.518, 489.519, 489.520, 489.523, 489.531, and 489.533, F.S.; deleting or revising references and provisions relating to registration, to conform; amending s. 489.518, F.S.; revising certain time limits; amending s. 205.194, F.S.; deleting cross-references, to conform; creating s. 489.5391, F.S.; providing for issuance of a notice of noncompliance, imposition of an administrative fine, and assessment of costs of prosecution for unlicensed contracting; specifying that such remedies are not exclusive; providing uses of fine proceeds; requiring the creation of a web page dedicated to listing information on unlicensed contractors; providing effective dates.

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

**CS for SB 1866**—A bill to be entitled An act relating to subsidized child care; amending s. 402.3015, F.S.; requiring the Social Services Estimating Conference to determine utilization rates for child care funding categories; requiring that surplus child care funds be used to provide child care for income eligible families; providing an effective date.

By the Committees on Judiciary; Commerce and Economic Opportunities; and Senator Klein—

**CS for CS for SB 1880**—A bill to be entitled An act relating to corporations; amending s. 607.01401, F.S.; redefining the term “electronic transmission” to include telegrams, cablegrams, telephone transmissions, and transmissions through the Internet for purposes of proxy voting; amending s. 607.0722, F.S.; specifying those persons who may vote on behalf of a shareholder; authorizing the appointment of a proxy by electronic transmission; deleting provisions limiting the period during which an appointment of proxy is irrevocable; authorizing the use of certain copies or reproductions in lieu of the original writing or electronic transmission; authorizing a corporation to adopt bylaws authorizing additional procedures for shareholders to use in exercising certain rights; providing an effective date.

By the Committees on Health, Aging and Long-Term Care; Banking and Insurance; and Senators Latvala and King—

**CS for CS for SB's 1960 and 1760**—A bill to be entitled An act relating to health care; making legislative findings and providing legislative intent; providing definitions; providing for a pilot program for health flex plans for certain uninsured persons; providing criteria; exempting approved health flex plans from certain licensing requirements; providing criteria for eligibility to enroll in a health flex plan; requiring health flex plan providers to maintain certain records; providing requirements for denial, nonrenewal, or cancellation of coverage; specifying that coverage under an approved health flex plan is not an entitlement; providing for civil actions against health plan entities by the Agency for Health Care Administration under certain circumstances; amending s. 627.410, F.S.; requiring certain group certificates for health insurance coverage to be subject to the requirements for individual health insurance policies; exempting group health insurance policies insuring groups of a certain size from rate filing requirements; providing alternative rate filing requirements for insurers with less than a specified number of nationwide policyholders or members; amending s. 627.411, F.S.; revising the grounds for the disapproval of insurance policy forms; providing that a health insurance policy form may be disapproved if it results in certain rate increases; specifying allowable new business rates and renewal rates if rate increases exceed certain levels; authorizing the Department of Insurance to determine medical trend for purposes of approving rate filings; amending s. 627.6487, F.S.; revising the types of policies that individual health insurers must offer to persons eligible for guaranteed individual health insurance coverage; prohibiting individual health insurers from applying discriminatory underwriting or rating practices to eligible individuals; amending s. 627.6482, F.S.; amending definitions used in the Florida Comprehensive Health Association Act; amending s. 627.6486, F.S.; revising the criteria for eligibility for coverage from the association; providing for cessation of coverage; requiring all eligible persons to agree to be placed in a case-management system; amending s. 627.6487, F.S.; redefining the term “eligible individual” for purposes of guaranteed availability of individual health insurance coverage; providing that a person is not eligible if the person is eligible for coverage under the Florida Comprehensive Health Association; amending s. 627.6488, F.S.; revising the membership of the board of directors of the association; revising the reimbursement of board members and employees; requiring that the plan of the association be submitted to the department for approval on an annual basis; revising the duties of the association related to administrative and accounting procedures; requiring an annual financial audit; specifying grievance procedures; establishing a premium schedule based upon an individual's family income; deleting requirements for categorizing insureds as low-risk, medium-risk, and high-risk; authorizing the association to place an individual with a case manager who determines the health care system or provider; requiring an annual review of the actuarial soundness of the association and the feasibility of enrolling new members; requiring a separate account for policyholders insured prior to a specified date; requiring appointment of an executive director with specified duties; authorizing the board to restrict the number of participants based on inadequate funding; limiting enrollment; specifying other powers of the board; amending s. 627.649, F.S.; revising the requirements for the association to use in selecting an administrator; amending s. 627.6492, F.S.; requiring insurers to be members of the association and to be subject to assessments for operating expenses; limiting assessments to specified maximum amounts; specifying when assessments are calculated and paid; allowing certain assessments to be charged by the

health insurer directly to each insured, member, or subscriber and to not be subject to department review or approval; amending s. 627.6498, F.S.; revising the coverage, benefits, covered expenses, premiums, and deductibles of the association; requiring preexisting condition limitations; providing that the act does not provide an entitlement to health care services or health insurance and does not create a cause of action; limiting enrollment in the association; repealing s. 627.6484, F.S., relating to a prohibition on the Florida Comprehensive Health Association from accepting applications for coverage after a certain date; making a legislative finding that the provisions of this act fulfill an important state interest; providing that the amendments to s. 627.6487(3), F.S., do not take effect unless approved by the U.S. Health Care Financing Administration; amending s. 627.6515, F.S.; requiring that coverage issued to a state resident under certain group health insurance policies issued outside the state be subject to the requirements for individual health insurance policies; amending s. 627.6699, F.S.; revising definitions used in the Employee Health Care Access Act; allowing carriers to separate the experience of small employer groups with fewer than two employees; revising the rating factors that may be used by small employer carriers; requiring the Insurance Commissioner to appoint a health benefit plan committee to modify the standard, basic, and limited health benefit plans; revising the disclosure that a carrier must make to a small employer upon offering certain policies; prohibiting small employer carriers from using certain policies, contracts, forms, or rates unless filed with and approved by the Department of Insurance pursuant to certain provisions; restricting application of certain laws to limited benefit policies under certain circumstances; authorizing offering or delivering limited benefit policies or contracts to certain employers; providing requirements for benefits in limited benefit policies or contracts for small employers; amending s. 627.9408, F.S.; authorizing the department to adopt by rule certain provisions of the Long-Term Care Insurance Model Regulation, as adopted by the National Association of Insurance Commissioners; amending s. 641.31, F.S.; exempting contracts of group health maintenance organizations covering a specified number of persons from the requirements of filing with the department; specifying the standards for department approval and disapproval of a change in rates by a health maintenance organization; providing alternative rate filing requirements for organizations with less than a specified number of subscribers; providing an effective date.

By the Committee on Judiciary; and Senator Crist—

**CS for SB 2012**—A bill to be entitled An act relating to character evidence; amending s. 90.404, F.S.; revising a provision of law governing character evidence to permit the admission of certain evidence of the defendant's commission of acts of child molestation under certain circumstances; providing a definition; providing an effective date.

By the Committees on Judiciary; Regulated Industries; and Senators King and Smith—

**CS for CS for SB 2066**—A bill to be entitled An act relating to athlete agents; amending s. 468.452, F.S.; revising a definition; amending s. 468.453, F.S.; revising licensure requirements; providing for service of process on nonresident agents; providing for temporary licenses; amending s. 468.454, F.S.; revising contract requirements; providing for cancellation of contracts; amending s. 468.456, F.S.; providing for increased administrative fines; amending s. 468.45615, F.S.; providing additional criminal penalties for certain acts; amending s. 468.4562, F.S.; revising provisions relating to civil remedies available to colleges and universities for violations of athlete agent regulations; amending s. 468.4565, F.S.; revising business record requirements; repealing s. 468.4563, F.S., relating to authority to require continuing education by athlete agents; repealing s. 468.4564, relating to license display requirements; providing an effective date.

By the Committees on Appropriations; Education; and Senators Pruitt, Horne and Lawson—

**CS for CS for SB 2108**—A bill to be entitled An act relating to education governance reorganization; amending s. 240.3836, F.S.; providing legislative intent; providing a process for authorizing community colleges to offer baccalaureate degree programs; amending s. 240.527,

F.S.; requiring a Campus Board of the University of South Florida St. Petersburg; requiring separate accreditation; providing powers and duties of the Campus Board and the Campus Executive Officer; providing a procedure for preparing a budget request; providing for central support services contracts and a letter of agreement; excluding certain entities from certain provisions; amending s. 240.2011, F.S.; adding to the State University System the New College in Sarasota; creating fiscally autonomous campuses of the University of South Florida; requiring a Campus Board of the University of South Florida Sarasota/Manatee; authorizing separate accreditation; providing powers and duties of the Campus Board and the Campus Executive Officer; providing a procedure for preparing a budget request; providing for central-support-services contracts and a letter of agreement; establishing a mission, goals, and board of trustees for New College of Florida; providing Legislative intent; redesignating St. Petersburg Junior College as "St. Petersburg College"; requiring accreditation; providing a mission; providing for students and fees; providing conditional authority to offer baccalaureate-degree-level programs; authorizing certain baccalaureate-degree programs and a process for increasing their number; establishing a governing board and a coordinating board; providing for dispute resolution; providing for certain employment classifications; providing for the acquisition of land, buildings, and equipment; authorizing the power of eminent domain; providing for state funding; requiring a cost-accounting process; amending s. 229.001, F.S.; revising a short title to delete obsolete language; amending s. 229.002, F.S.; revising the policy and guiding principles of the Legislature relating to education governance; amending s. 229.003, F.S.; revising the timeframe for education governance reorganization; revising the titles of the education governance officers; revising the name of the Florida On-Line High School to conform with changes made by the bill; revising the membership of university boards of trustees; abolishing the Board of Regents, the State Board of Community Colleges, and the Postsecondary Education Planning Commission; transferring the powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, other funds, administrative authority, administrative rules, pending issues, and existing contracts of the Board of Regents to the Florida Board of Education, of the State Board of Community Colleges to the Florida Board of Education, and of the Postsecondary Education Planning Commission to the Education K-20 Policy and Research Council, respectively; creating the Education K-20 Policy and Research Council within the Department of Education; transferring the Articulation Coordinating Committee and the Education Standards Commission by a type two transfer from the Department of Education to the Florida Board of Education; requiring the Commissioner of Education to commence reorganization of the department and specifying offices and divisions; requiring the merger of the powers, duties, and staffs of the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education, with an exception, into a single Commission for Independent Education; creating s. 229.0031, F.S.; creating the Education K-20 Policy and Research Council; establishing the membership and duties of the council; providing for the appointment and employment of an executive director; amending s. 229.004, F.S.; revising the timeframe for the creation of the Florida Board of Education; deleting the requirement that the board be part time; revising the duties and responsibilities of the board; conforming terminology with changes made by the bill; providing cross-references to newly created missions and goals and guidelines; amending s. 229.005, F.S.; revising provisions relating to qualifications of Florida education governance officers to conform terminology to changes made by the bill and to provide cross-references to newly created missions and goals; requiring the Commissioner of Education to work with the board and oversee the chancellors and the executive director and to serve as chief executive officer of the seamless K-20 education system; deleting references to requirements of the Florida Constitution relating to education; requiring the Chancellor of Public Schools, the Chancellor of Colleges and Universities, the Chancellor of Community Colleges, and the Executive Director of Independent Education to work as division vice presidents of the seamless K-20 education system; revising the name of the Florida On-Line High School to conform with changes made by the bill; amending s. 229.006, F.S.; deleting obsolete language relating to the creation and the already accomplished duties of the Education Governance Reorganization Transition Task Force; revising the timeframe for the reorganization; requiring the task force to provide guidance and monitoring of the reorganization implementation process and to report to the Governor, the Legislature, the Secretary of the Florida Board of Education, and the public on its progress; revising the timeframe and recipients of the final report of the task force; creating s. 229.0061, F.S.; establishing guidelines for the implementation, structure, functions, and organization of Florida's K-20 education system; creating s. 229.007,

F.S.; establishing Florida's K-20 education performance accountability system; providing legislative intent; establishing the mission and goals and systemwide measures; requiring proposals and an implementation schedule for performance-based funding; creating s. 229.0072, F.S.; establishing a reorganization implementation process; requiring the Governor to appoint university boards of trustees, a Florida Board of Education and a Secretary of the Florida Board of Education; establishing duties of the Florida Board of Education relating to the transition and implementation of the K-20 system; requiring the Commissioner of Education to work with the Florida Board of Education to achieve full implementation of the seamless K-20 system and to commence reorganization of the department as required by the act; requiring the Florida Board of Education to appoint advisory bodies as necessary, and develop and recommend to the Legislature a new School Code; creating s. 229.0073, F.S.; directing the Commissioner of Education to work with the Florida Board of Education to reorganize the Department of Education as provided by the act; creating s. 229.0074, F.S.; establishing the mission of the Division of Independent Education; providing duties of the executive director; combining and transferring the powers and duties of the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education, with an exception, to the Commission for Independent Education; providing duties of the commission; providing composition of the Commission for Independent Education; creating s. 229.008, F.S.; providing for establishment and membership of boards of trustees of universities in the State University System; creating s. 229.0081, F.S.; establishing powers and duties of university boards of trustees; creating s. 229.0082, F.S.; establishing powers and duties of university presidents; creating s. 229.0083, F.S.; transferring the Partnership for School Readiness from the Executive Office of the Governor to the Agency for Workforce Innovation; revising the name of the Florida On-Line High School to the Florida Virtual High School, which school shall be housed within the Commissioner of Education's Office of Technology and Information Services and monitored by the commissioner; stating the mission of the Florida Virtual High School; deleting obsolete language; revising the duties of the school's board of trustees; requiring the Department of Education to maximize federal indirect cost allowed on federal grants; requiring appropriation for expenditure of funds received from indirect cost allowance; repealing s. 229.0865, F.S., relating to the Knott Data Center and projects, contracts, and grants; amending s. 229.085, F.S.; removing an exemption for personnel employed by projects funded by contracts and grants; repealing ss. 240.145, 240.147, 240.209(2), 240.227, 240.307, and 240.311(4), F.S., relating to the Postsecondary Education Planning Commission, the powers and duties of the commission, the Board of Regents appointment of a Chancellor of the State University System, powers and duties of university presidents, the appointment of members of the State Board of Community Colleges, and the appointment of an executive director of the community college system; repealing s. 235.217(1)(b), (c), and (d), (3)(a), (c), (d), and (e), and (2), (4), and (5), F.S., relating to the SMART Schools Clearinghouse; providing effective dates.

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By the Committees on Judiciary; Natural Resources; and Senator Garcia—

**CS for CS for SB 2120**—A bill to be entitled An act relating to water resources; amending s. 373.083, F.S.; authorizing water management districts to solicit donations; amending s. 373.093, F.S.; authorizing water management districts to lease certain personal property; creating s. 373.608, F.S.; authorizing water management districts to obtain and enforce patents, copyrights, and trademarks; creating s. 373.610, F.S.; allowing water management districts to bar from future contracts contractors who have defaulted in the past; creating s. 373.611, F.S.; authorizing water management districts to limit or alter damages in certain vendor contracts; providing an effective date.

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By the Committee on Natural Resources; and Senator Dyer—

**CS for SB 2142**—A bill to be entitled An act relating to solid waste collection; amending s. 165.061, F.S.; providing requirements for the plan for incorporation of a new municipality relating to contracts for solid waste collection; amending s. 403.707, F.S.; amending provisions relating to permitting solid waste management facilities; providing requirements for scales used by and records that must be kept by materials recovery facilities and facilities at which construction and demolition



debris is processed; providing for applicability; providing for rulemaking; providing an effective date.

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By the Committees on Judiciary; Health, Aging and Long-Term Care; and Senator Klein—

**CS for CS for SB 2156**—A bill to be entitled An act relating to health care; amending s. 456.031, F.S.; allowing licensees under ch. 466, F.S., to complete a course designated by the Board of Dentistry, rather than a course in end-of-life care and palliative care, as an alternative to completing a domestic-abuse course; amending s. 456.033, F.S.; allowing licensees under ch. 466, F.S., to complete a course designated by the Board of Dentistry, rather than a course in end-of-life care and palliative care, as an alternative to completing certain instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 765.101, F.S.; redefining the term “end-stage condition”; amending s. 765.102, F.S.; prescribing the content and suitability of palliative care; amending s. 765.205, F.S.; prescribing the standards of decision-making which are to be used in certain circumstances by health surrogates and by proxy decisionmakers; amending s. 765.401, F.S.; prescribing the standards of decisionmaking which are to be used in certain circumstances by proxies; providing an effective date.

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By the Committees on Governmental Oversight and Productivity; Children and Families; and Senator Peaden—

**CS for CS for SB 2178**—A bill to be entitled An act relating to public meetings and public records; creating s. 414.106, F.S.; providing an exemption from the public-meetings law for meetings or portions of meetings held by the Department of Children and Family Services, Workforce Florida, Inc., a regional workforce board, or a local committee at which personal identifying information contained in records relating to temporary cash assistance which identifies a participant, family, or family or household member is discussed; providing for future legislative review and repeal; amending s. 445.007, F.S.; providing an exemption from the public-meetings law for meetings or portions of meetings held by Workforce Florida, Inc., a regional workforce board, or a local committee at which personal identifying information contained in records relating to temporary cash assistance which identifies a participant, family, or family or household member is discussed; providing for future legislative review and repeal; creating s. 414.295, F.S.; providing an exemption from public-records requirements for personal identifying information contained in records relating to temporary cash assistance which identifies a participant, family, or family or household member which is held by the Department of Children and Family Services, the Agency for Workforce Innovation, Workforce Florida, Inc., the Department of Management Services, the Department of Health, the Department of Revenue, the Department of Education, a regional workforce board, or a local committee or any service provider under contract with any such entity; authorizing release of confidential information under specified circumstances; providing for future legislative review and repeal; providing a finding of public necessity; providing an effective date.

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By the Committee on Regulated Industries; and Senators Campbell and Crist—

**CS for SB 2210**—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 20.165, F.S.; renaming the Division of Florida Land Sales, Condominiums, and Mobile Homes as the Division of Condominiums, Timeshare, and Mobile Homes; including reference to the Board of Barbering and Cosmetology; revising minimum requirements for the number of consumer members on professional licensing boards; amending ss. 326.001, 326.002, 326.003, 326.004, 326.006, F.S.; transferring the regulation of yacht and ship brokers and salespersons from the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Professions; revising provisions relating to criminal history checks and administrative and civil penalties; requiring that all funds collected pursuant to such regulation be deposited into the Professional Regulation Trust Fund;

revising references; amending s. 399.061, F.S.; revising provisions relating to the inspection of elevators; amending s. 455.213, F.S.; providing for the content of licensure and renewal documents; providing for the electronic submission of information to the department; providing that all legal obligations must be met before the issuance or renewal of a license; amending s. 455.224, F.S.; authorizing any division of the department to issue citations in the enforcement of its regulatory provisions in accordance with the provisions established for such purposes for the regulation of professions; amending ss. 468.401, 468.402, 468.403, 468.404, 468.406, 468.407, 468.410, 468.412, 468.413, 468.414, 468.415, F.S.; providing for registration of talent agencies in lieu of licensure; conforming provisions; providing penalties; repealing ss. 468.405 and 468.408, F.S., relating to qualification for talent agency license and bonding requirements; amending s. 468.609, F.S.; authorizing direct supervision by building code administrators by telecommunications devices in certain localities and under specified circumstances; amending s. 468.627, F.S.; requiring the payment of costs for certain building code enforcement applicants who fail to appear for scheduled examinations, subject to waiver in case of hardship; amending s. 471.025, F.S.; allowing for more than one type of seal to be used by professional engineers; amending s. 472.003, F.S.; providing exemption from ch. 472, F.S., relating to land surveying and mapping, for certain subordinate employees; revising cross-references; amending s. 472.005, F.S.; revising and providing definitions; revising cross-references; amending s. 472.029, F.S.; revising provisions relating to access to lands of others for surveying or mapping purposes; providing applicability to subordinates; requiring certain notice; amending s. 810.12, F.S.; revising provisions relating to trespass, to conform; amending ss. 472.001, 472.011, 472.015, 472.021, 472.027, 472.031, 472.037, F.S.; revising cross-references; amending s. 476.034, F.S.; redefining the term “board”; amending s. 476.054, F.S.; creating the Board of Barbering and Cosmetology; providing certain compensation; requiring an oath and providing for a certificate of appointment; providing for officers, meetings, and quorum; amending s. 476.064, F.S.; conforming provisions; amending ss. 476.014, 476.074, 476.154, 476.194, 476.214, 476.234, F.S.; revising references; amending s. 477.013, F.S.; defining the term “board”; repealing s. 477.015, F.S., relating to the Board of Cosmetology; abolishing the Barbers’ Board and the Board of Cosmetology; providing for appointment of all members of the Board of Barbering and Cosmetology to staggered terms; providing savings clauses for rules and legal actions; amending s. 477.019, F.S.; revising requirements related to continuing education providers and courses; eliminating a requirement for refresher courses and examinations for failure of cosmetology licensees to comply with continuing education requirements; amending s. 477.026, F.S.; providing authority for registration renewal and delinquent fees for hair braiders, hair wrappers, and body wrappers; amending s. 481.209, F.S.; revising requirements relating to education for licensure as an architect; amending s. 481.223, F.S.; providing for injunctive relief for certain violations relating to architecture and interior design; amending s. 489.107, F.S.; reducing the number of members on the Construction Industry Licensing Board; creating s. 489.1133, F.S.; providing for temporary certificates and registrations; amending s. 489.115, F.S.; eliminating references to divisions of the Construction Industry Licensing Board; amending s. 489.118, F.S.; revising grandfathering provisions for certification of registered contractors to qualify persons holding certain registered local specialty licenses; repealing s. 489.507(6), F.S., to delete a duplicate provision relating to appointment of committees of the Construction Industry Licensing Board and the Electrical Contractors’ Licensing Board for the purpose of meeting jointly twice each year; requiring the Electrical Contractors’ Licensing Board to develop a plan to reduce its annual operating budget by a specified amount and submit such plan to the department by a specified date; amending s. 489.511, F.S.; revising provisions relating to licensure as an electrical or alarm system contractor by endorsement; amending ss. 498.005, 498.019, 498.049, F.S.; reassigning the regulation of land sales from the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Real Estate; requiring all funds collected by the department pursuant to the regulation of land sales to be deposited in the Professional Regulation Trust Fund; amending s. 190.009, F.S.; conforming terminology; amending ss. 718.103, 718.105, 718.1255, 718.501, 718.502, 718.504, 718.508, 718.509, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 721.50, 721.82, 721.84, 723.003, 723.006, 723.0065, 723.009, F.S.; renaming the Division of Florida Land Sales, Condominiums, and Mobile

Homes as the Division of Condominiums, Timeshare, and Mobile Homes; renaming the Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund as the Division of Condominiums, Timeshare, and Mobile Homes Trust Fund; conforming provisions; providing and limiting arbitration of disputes by the division to those regarding elections and the recall of board members; deleting reference to voluntary mediation; providing for the resolution of certain other complaints at the local level; providing exemptions; requiring the continuation of arbitration of cases filed by a certain date; providing a contingent appropriation; providing division enforcement powers and duties; providing for injunction, restitution, and civil penalties; providing certain immunity; providing for use of certain documents as evidence; providing for certain notice; providing for intervention in suits; locating the executive offices of the division in Tallahassee; authorizing branch offices; providing for adoption and use of a seal; providing applicability to specified chapters of the Florida Statutes; amending s. 721.82, F.S.; redefining the term "registered agent"; amending s. 721.84, F.S.; providing for appointment of a successor registered agent; amending ss. 73.073, 192.037, 213.053, 215.20, 380.0651, 455.116, 475.455, 509.512, 559.935, F.S.; conforming terminology; amending s. 489.537, F.S.; providing that a municipality or county may require the presence of a licensed electrical journeyman on certain construction sites; requiring the Department of Business and Professional Regulation to adopt rules implementing a required statewide registration designation for electrical journeyman for industrial and commercial job sites; amending s. 468.452, F.S.; revising definitions; amending s. 468.453, F.S.; revising licensure requirements; providing for service of process on nonresident agents; providing for temporary licenses; deleting a bond requirement; amending s. 468.454, F.S.; revising contract requirements; providing for cancellation of contracts; amending s. 468.456, F.S.; providing for increased administrative fines; amending s. 468.45615, F.S.; providing additional criminal penalties for certain acts; amending s. 468.4562, F.S.; revising provisions relating to civil remedies available to colleges and universities for violations of athlete agent regulations; amending s. 468.4565, F.S.; revising business record requirements; repealing s. 468.4563, F.S., relating to authority to require continuing education by athlete agents; repealing s. 468.4564, relating to license display requirements; providing effective dates.

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

**CS for SB 2218**—A bill to be entitled An act relating to public records; amending s. 624.319, F.S.; exempting workpapers relating to examinations and investigations of insurers from public records requirements; providing for future legislative review and repeal; amending s. 627.351, F.S.; providing exemptions from the public records law for specified records of the Florida Windstorm Underwriting Association; providing for future legislative review and repeal; providing findings of public necessity; providing an effective date.

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 544, SB 546, SB 548 and SB 558, SB 560, SB 562, SB 564, SB 566, SB 568, SB 572, SB 574, SB 576, SB 578, SB 580, SB 582, SB 584, SB 586, SB 590, SB 592, SB 594, SB 596, SB 598, SB 600, SB 602, SB 604, SB 606, SB 608, SB 610, SB 612, SB 614 and SB 616 which he approved on April 25, 2001.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### RETURNING MESSAGES ON SENATE BILLS

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has acceded to the request of the Senate for the appointment of a conference committee for SB 2000.

The Speaker has appointed the following Representatives to the Conference Committee: Representative Lacasa, Chair; At-Large Conferees:

Representatives Fasano, Greenstein, Murman, Wallace, Wilson, and Representative Sobel, Alternate; Transportation and Economic Development Appropriations: Representative Johnson, Chair, Representatives Bense, Hart, Jennings, Ritter, Rubio, and Representatives Berfield and Hogan, Alternates; Health and Human Services Appropriations: Representative Maygarden, Chair, Representatives Brummer, Farkas, Green, Rich, Slosberg and Representatives Benson, Brutus, and Garcia, Alternates; Education Appropriations: Representative Lynn, Chair, Representatives Alexander, Flanagan, Justice, Melvin, Stansel, and Representatives Arza, Bucher, and Mealor, Alternates; Criminal Justice Appropriations: Representative Ball, Chair, Representatives Barriero, Bilirakis, Mahon, Meadows, Seiler and Representative Bowen, Alternate; General Government Appropriations: Representative Dockery, Chair, Representatives Holloway, Kilmer, Miller, Siplin, Spratt, and Representative Brown, Alternate.

*John B. Phelps, Clerk*

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has acceded to the request of the Senate for the appointment of a conference committee for SB 2002.

The Speaker has appointed the following Representatives to the Conference Committee: Representative Lacasa, Chair; At-large Conferees: Representatives Fasano, Greenstein, Murman, Wallace, Wilson, and Representative Sobel, Alternate; Transportation and Economic Development Appropriations: Representative Johnson, Chair, Representatives Bense, Hart, Jennings, Ritter, Rubio, and Representatives Berfield and Hogan, Alternates; Health and Human Services Appropriations: Representative Maygarden, Chair, Representatives Brummer, Farkas, Green, Rich, Slosberg, and Representatives Benson, Brutus, and Garcia, Alternates; Education Appropriations: Representative Lynn, Chair, Representatives Alexander, Flanagan, Justice, Melvin, Stansel, and Representatives Arza, Bucher, and Mealor, Alternates; Criminal Justice Appropriations: Representative Ball, Chair, Representatives Barriero, Bilirakis, Mahon, Meadows, Seiler, and Representative Bowen, Alternate; General Government Appropriations: Representative Dockery, Chair, Representatives Holloway, Kilmer, Miller, Siplin, Spratt, and Representative Brown, Alternate.

*John B. Phelps, Clerk*

### RETURNING MESSAGES—FINAL ACTION

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has passed SB 412.

*John B. Phelps, Clerk*

The bill contained in the foregoing message was ordered enrolled.

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 107, as amended.

*John B. Phelps, Clerk*

### ENROLLING REPORTS

SB 218 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 24, 2001.

*Faye W. Blanton, Secretary*

### CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 20 was corrected and approved.

**CO-SPONSORS**

Senators Crist—SB 190, SB 210, CS for SB 744, CS for SB 2088; Holzendorf—SB 1202; Horne—SB 894; Klein—CS for SB 1878; Mitchell—CS for SB 2, SB 670, SB 868; Sanderson—CS for SB's 182, 328 and 970, SB 1616

Senator Pruitt withdrew as a co-sponsor of CS for SB 348.

**RECESS**

On motion by Senator Lee, the Senate recessed at 5:19 p.m. to reconvene at 9:00 a.m., Thursday, April 26.

**SENATE PAGES**

April 23-27

Jonathan Bouchlas, Royal Palm Beach; Tara Bradenburger, Dunedin; Jacob "Jake" Cremer, Palatka; Lawanna Curry, Quincy; James Fortinberry, Plant City; Emily Gerard, Babson Park; Dana Lauesen, Spring Hill; Jennifer Locetta, Altamonte Springs; Nick Lowe, Destin; Jennifer McCollum, Tampa; Benjamin Meadows, Orlando; Todd Mitchell, Steinhatchee; Jessica Nicolai, Spring Hill; Candace Riley, Tallahassee; Shawntae Robinson, Quincy; Maxwell "Max" Scott, Fort Walton Beach; Elizabeth Sullivan, Altamonte Springs