



Journal of the Senate

Number 17—Regular Session

Friday, April 27, 2007

CONTENTS

Bills on Third Reading	632, 675
Call to Order	625, 664
Claim Bill Calendar	664
Co-Introducers	661, 691
Consent Calendar	671
Executive Business, Reports	668
House Messages, First Reading	688
Motions	687
Motions Relating to Committee Reference	664, 687
Reference Changes, Rule 4.7(2)	688
Reports of Committees	688
Resolutions	625
Special Guests	626
Special Order Calendar	626, 680
Special Recognition	661, 664
Vote, Pair	668

[See end of Journal for Bill Action Summary]

CALL TO ORDER

The Senate was called to order by President Pruitt at 9:00 a.m. A quorum present—39:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Excused: Senator Argenziano; Senator Atwater at 12:30 p.m.; Conferees periodically for the purpose of working on Property Taxes

PRAYER

The following prayer was offered by Monsignor William A. Kerr, Executive Director, Claude Pepper Center at F.S.U., Tallahassee:

Lord of nations and peoples, we know you by many names, and we speak to you in many languages. We speak to you through our minds and our hearts. We pray that you will touch both minds and hearts.

Give us the gift of understanding, and give us the gift of courage. Give us that special faculty which enables us to be grateful for what we have, and what you have given to us by way of tasks and opportunities. Help us to do what you call us to do. Help us to do what others ask us to do in the good of all.

We ask this with great confidence as we continue this legislative session, and we ask your special blessings on the Senate of Florida. Amen.

PLEDGE

Senate Pages Joseph “Joe” Humphrey of Palmetto; Ashley Morrow of Valrico; Angela Petrizzo and Deandre Parks of Tallahassee, 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. Stephanie Haridopolos of Indialantic, sponsored by her husband, Senator Haridopolos, as doctor of the day. Dr. Haridopolos specializes in Family Practice.

ADOPTION OF RESOLUTIONS

At the request of Senator Posey—

By Senator Posey—

SR 3050—A resolution commemorating the 90th Anniversary of the Space Coast Chapter of the American Red Cross in Brevard County.

WHEREAS, the Space Coast Chapter of the American Red Cross is the primary organization in Brevard County specializing in Disaster Relief and has served Brevard County for 90 years, and

WHEREAS, the Space Coast Chapter exemplifies the American Red Cross as a humanitarian organization led by volunteers which provides relief to victims of disasters and helps people prevent, prepare for, and respond to emergencies, and

WHEREAS, the Space Coast Chapter’s 10 paid staff members and more than 200 volunteers are guided by the fundamental principles of the American Red Cross - Humanity, Impartiality, Neutrality, Independence, Voluntary Service, Unity, and Universality, and

WHEREAS, paid staff and volunteers from the Space Coast Chapter of the American Red Cross provide Emergency messaging to members of the military and their families through our Armed Forces Emergency Services (AFES) Department, and

WHEREAS, the Emergency Services Department has served the county in times of all natural or man-made disasters, including the many wildfires over the past 90 years, and

WHEREAS, during Hurricanes Charley, Frances, Jeanne, and Ivan, the Chapter rendered assistance to more than 2,500 residents and distributed over \$4 million to aid in the recovery of Brevard County residents during the unprecedented hurricane season of 2004, and

WHEREAS, the Chapter has responded to more than 5,000 single home fires in its remarkable history, and

WHEREAS, the Chapter’s Health and Safety Department has been the leader in community education and training in Brevard County throughout the Chapter’s 90-year history, and training more than 450,000 individuals in first aid and CPR; 120,000 adults and children in aquatics and water safety; 5,000 residents in HIV/AIDS prevention; and 150,000 in mission-related caregiving for the elderly and other priority groups, NOW, THEREFORE,

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

That this body does pause in its deliberations to recognize the dedicated efforts and exemplary work of the Space Coast Chapter of the American Red Cross, led by Janet Weigold Bryant, in the Chapter’s

continued mission to serve the residents of Brevard County in their time of need during natural or man-made disasters.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Space Coast Chapter of the American Red Cross as a token of the sentiments of the Florida Senate.

—**SR 3050** was introduced, read and adopted by publication.

SPECIAL ORDER CALENDAR

SENATOR FASANO PRESIDING

INTRODUCTION OF FORMER SENATOR

Senator King introduced former Senator Jim Sebesta who was present in the chamber.

On motion by Senator Lynn, by two-thirds vote **CS for HB 7147** was withdrawn from the Committees on Higher Education; and Health and Human Services Appropriations.

On motion by Senator Lynn, the rules were waived and—

CS for HB 7147—A bill to be entitled An act relating to postsecondary education enhancements; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study of certain enrollment forecasting models; requiring a final report; requiring the Department of Education to conduct a review of certain courses in the statewide course numbering system and update the system as appropriate; requiring a report; requiring nonpublic postsecondary institutions that participate in statewide course numbering to provide certain information in their catalogs; requiring the department's website to include certain information; requiring the department to review certain examinations and recommend articulated acceleration mechanisms; amending s. 1007.33, F.S.; identifying the areas in which community colleges may propose to deliver baccalaureate degree programs; removing requirement that proposal be submitted to the Council for Education Policy Research and Improvement for review; amending s. 1009.25, F.S.; revising provisions relating to the number of and qualifications for community college fee exemptions; amending s. 1011.83, F.S.; providing a residency requirement for funding baccalaureate degree programs at community colleges; providing requirements for funding nonrecurring and recurring costs associated with such programs; limiting per-student funding to a specified percentage of costs associated with state university baccalaureate degree programs; providing certain reporting and funding requirements; amending s. 1009.23, F.S.; providing guidelines and restrictions for setting tuition and out-of-state fees for community college upper-division courses; providing an effective date.

—a companion measure, was substituted for **CS for SB 1570** and read the second time by title.

Senator Lynn moved the following amendment:

Amendment 1 (811046)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (1), (2), and (8) of section 1001.64, Florida Statutes, are amended to read:

1001.64 Community college boards of trustees; powers and duties.—

(1) The boards of trustees shall be responsible for cost-effective policy decisions appropriate to the community college's mission, the implementation and maintenance of high-quality education programs within law and rules of the State Board of Education, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards. *Community colleges may grant baccalaureate degrees pursuant to s. 1007.33 and shall remain under the authority of the State Board of Education with respect to planning, coordination, oversight, and budgetary and accountability responsibilities.*

(2) Each board of trustees is vested with the responsibility to govern its respective community college and with such necessary authority as

is needed for the proper operation and improvement thereof in accordance with rules of the State Board of Education. *This authority includes serving as the governing board for purposes of granting baccalaureate degrees as authorized in s. 1007.33 and approved by the State Board of Education.*

(8) Each board of trustees has authority for policies related to students, enrollment of students, student records, student activities, financial assistance, and other student services.

(a) Each board of trustees shall govern admission of students pursuant to s. 1007.263 and rules of the State Board of Education. A board of trustees may establish additional admissions criteria, which shall be included in the district interinstitutional articulation agreement developed according to s. 1007.235, to ensure student readiness for postsecondary instruction. Each board of trustees may consider the past actions of any person applying for admission or enrollment and may deny admission or enrollment to an applicant because of misconduct if determined to be in the best interest of the community college.

(b) Each board of trustees shall adopt rules establishing student performance standards for the award of degrees and certificates pursuant to s. 1004.68. *The board of trustees of a community college which is authorized to grant a baccalaureate degree under s. 1007.33 may continue to award degrees, diplomas, and certificates as authorized for the college, and in the name of the college, until the college receives any necessary changes to its accreditation.*

(c) *Each board of trustees shall establish tuition and out-of-state fees for approved baccalaureate degree programs, consistent with law and proviso language in the General Appropriations Act; however, a board of trustees may not vary tuition and out-of-state fees as provided in s. 1009.23(4).*

(d)(e) Boards of trustees are authorized to establish intrastitutional and interinstitutional programs to maximize articulation pursuant to s. 1007.22.

(e)(d) Boards of trustees shall identify their core curricula, which shall include courses required by the State Board of Education, pursuant to the provisions of s. 1007.25(6).

(f)(e) Each board of trustees must adopt a written antihazing policy, provide a program for the enforcement of such rules, and adopt appropriate penalties for violations of such rules pursuant to the provisions of s. 1006.63.

(g)(f) Each board of trustees may establish a uniform code of conduct and appropriate penalties for violation of its rules by students and student organizations, including rules governing student academic honesty. Such penalties, unless otherwise provided by law, may include fines, the withholding of diplomas or transcripts pending compliance with rules or payment of fines, and the imposition of probation, suspension, or dismissal.

(h)(g) Each board of trustees pursuant to s. 1006.53 shall adopt a policy in accordance with rules of the State Board of Education that reasonably accommodates the religious observance, practice, and belief of individual students in regard to admissions, class attendance, and the scheduling of examinations and work assignments.

(i) *Each board of trustees shall adopt a policy providing that faculty who teach upper-division courses that are a component part of a baccalaureate degree program must meet the requirements of s. 1012.82.*

Section 2. Subsection (3) of section 1007.33, Florida Statutes, is amended, subsection (4) is renumbered as subsection (6), and new subsections (4) and (5) are added to that section, to read:

1007.33 Site-determined baccalaureate degree access.—

(3) A community college may develop a proposal to deliver specified baccalaureate degree programs in its district to meet local workforce needs. The proposal must be submitted to the State Board of Education for approval. *A community college may develop proposals to deliver baccalaureate degree programs in math and science which would prepare graduates to enter a teaching position in math or science or employment in a position that requires a baccalaureate degree in math or science.* The community college's proposal must include the following information:

(a) Demand for the baccalaureate degree program is identified by the workforce development board, local businesses and industry, local chambers of commerce, and potential students.

(b) Unmet need for graduates of the proposed degree program is substantiated.

(c) The community college has the facilities and academic resources to deliver the program.

~~The proposal must be submitted to the Council for Education Policy Research and Improvement for review and comment.~~ Upon approval of the State Board of Education for the specific degree program or programs, the community college shall pursue regional accreditation by the Commission on Colleges of the Southern Association of Colleges and Schools. Any additional baccalaureate degree programs the community college wishes to offer must be approved by the State Board of Education.

(4) A formal agreement for the delivery of specified baccalaureate degree programs by a regionally accredited public or private college or university at a community college site must include:

(a) A guarantee that students will be able to complete the degree in the community college district.

(b) A financial commitment to the development, implementation, and maintenance of the specified degree program on behalf of the college or university which includes timelines.

(c) A plan for collaboration in the development and offering of the curriculum for the specified degree by faculty at both the community college and the college or university. The curriculum for the specified degree must be developed and approved within 6 months after the agreement between the community college and the college or university is signed.

(5) A community college proposal to deliver a specified baccalaureate degree program must document that the community college has notified in writing the accredited public and private colleges and universities in the community college's district of its intent to seek approval for delivery of the proposed program. The notified colleges and universities have 90 days to submit in writing to the community college an alternative plan for providing the specified degree program.

Section 3. Subsections (1) and (2) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Community college student fees.—

(1) Unless otherwise provided, ~~the provisions of this section apply~~ only to fees charged for college credit instruction leading to an associate in arts degree, an associate in applied science degree, or an associate in science degree, or a baccalaureate degree authorized by the State Board of Education pursuant to s. 1007.33 and for noncollege credit college-preparatory courses defined in s. 1004.02.

(2)(a) All students shall be charged fees except students who are exempt from fees or students whose fees are waived.

(b) Tuition and out-of-state fees for upper-division courses must reflect that the community college has a less expensive cost structure than that of a state university. Therefore, the board of trustees shall establish tuition and out-of-state fees for upper-division courses pursuant to approved baccalaureate programs and consistent with law and proviso language in the General Appropriations Act; however, the board of trustees may not vary tuition and out-of-state fees as provided in subsection (4). ~~Identical fees shall be required for all community college resident students within a college who take a specific course, regardless of the program in which they are enrolled.~~

Section 4. Section 1011.83, Florida Statutes, is amended to read:

1011.83 Financial support of community colleges.—

(1) Each community college that has been approved by the Department of Education and meets the requirements of law and rules of the State Board of Education shall participate in the Community College Program Fund. However, funds to support workforce education pro-

grams conducted by community colleges shall be provided pursuant to s. 1011.80.

(2) Funding for baccalaureate degree programs approved pursuant to s. 1007.33 shall be specified in the General Appropriations Act. A student in a baccalaureate degree program approved pursuant to s. 1007.33 who is not classified as a resident for tuition purposes pursuant to s. 1009.21 may not be included in calculations of full-time equivalent enrollments for state funding purposes.

(3) Funds specifically appropriated by the Legislature for baccalaureate degree programs approved pursuant to s. 1007.33 may be used only for such programs. A community college shall fund the nonrecurring costs related to the initiation of a new baccalaureate degree program under s. 1007.33 without new state appropriations unless special grant funds are appropriated in the General Appropriations Act. A new baccalaureate degree program may not accept students without a recurring legislative appropriation for this purpose.

(4) State policy for funding baccalaureate degree programs approved pursuant to s. 1007.33 shall be to limit state support for recurring operating purposes to no more than 85 percent of the amount of state expenditures for direct instruction per credit hour in upper-level state university programs. A community college may temporarily exceed this limit due to normal enrollment fluctuations or unforeseeable circumstances or while phasing in new programs. This subsection does not authorize the Department of Education to withhold legislative appropriations to any community college.

(5) A community college that grants baccalaureate degrees shall maintain reporting and funding distinctions between any baccalaureate degree program approved under s. 1007.33 and any other baccalaureate degree programs involving traditional concurrent-use partnerships.

Section 5. This act shall take effect July 1, 2007.

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 awarding of baccalaureate degrees by community colleges; amending s. 1001.64, F.S.; providing for community colleges that grant baccalaureate degrees to remain under the authority of the State Board of Education with respect to specified responsibilities; providing that the board of trustees is the governing board for purposes of granting baccalaureate degrees; providing powers of the boards of trustees, including the power to establish tuition and out-of-state fees; providing restrictions; requiring policies relating to minimum faculty teaching hours per week; amending s. 1007.33, F.S.; authorizing a community college to develop proposals to deliver baccalaureate degree programs in math and science which would prepare graduates to enter certain professions; removing a requirement that proposals for a baccalaureate degree program be submitted to the Council for Education Policy Research and Improvement for review and comment; providing requirements for the delivery of specified baccalaureate degree programs by a regionally accredited college or university at a community college site; requiring notification to colleges and universities of intent to offer the degree program; amending s. 1009.23, F.S.; providing guidelines and restrictions for setting tuition and out-of-state fees for upper-division courses; amending s. 1011.83, F.S.; providing a residency requirement for funding baccalaureate degree programs at community colleges; providing requirements for funding nonrecurring and recurring costs associated with such programs; limiting per-student funding to a specified percentage of costs associated with state university baccalaureate degree programs; providing certain reporting and funding requirements; providing an effective date.

MOTION

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

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

Amendment 1A (942704)(with title amendment)—On page 4, between lines 3 and 4, insert:

Section 2. Section 1007.01, Florida Statutes, is amended to read:

1007.01 Articulation; legislative intent; purpose; role of the State Board of Education.—

(1) It is the intent of the Legislature to facilitate articulation and seamless integration of the K-20 education system by building, ~~and~~ sustaining *and strengthening* relationships among K-20 public organizations, public and private organizations, and between the education system as a whole and Florida's communities. The purpose of building and sustaining these relationships is to provide for the efficient and effective progression and transfer of students within the education system and to allow students to proceed toward their educational objectives as rapidly as their circumstances permit. *The Legislature further intends that articulation policies and budget actions shall be implemented consistently in the practices of postsecondary institutions and the Department of Education and expressed in the collaborative policy efforts of the State Board of Education and the Board of Governors.*

(2) To improve and facilitate articulation systemwide, the State Board of Education and the Board of Governors shall develop policies and guidelines with input from statewide K-20 advisory groups established by the Commissioner of Education relating to:

(a) The alignment between the exit requirements of one system and the admissions requirements of another system into which students typically transfer.

(b) The identification of common courses, the level of courses, institutional participation in a statewide course numbering system, and the transferability of credits among such institutions.

(c) Identification of courses that meet general education or common degree program prerequisite requirements at public postsecondary educational institutions.

(d) Dual enrollment course equivalencies.

(e) Articulation agreements.

(3) *The Commissioner of Education, in consultation with the Chancellor of the State University System, shall establish an Articulation Coordinating Committee which shall report to the commissioner. The committee shall be a pre-K through 20 advisory group that consists of members representing the State University System, the Community College System, public career and technical education, public pre-K through 12 education, nonpublic education, and at least one member representing students. The commissioner will appoint a chair from the membership. The committee shall:*

(a) *Function as the statewide prekindergarten through university advisory committee and accept continuous responsibility for community college-university-school district relationships.*

(b) *Establish monitoring, compliance, and reporting systems to facilitate and ensure institutional compliance with state articulation policies, including, but not limited to, accelerated credit mechanisms, general education course requirements, common prerequisite requirements, and time required to earn a degree.*

(c) *Develop guidelines for interinstitutional agreements between and among public schools, career and technical education centers, community colleges, and universities to facilitate interaction, articulation, acceleration, and the efficient use of faculty, equipment, and facilities.*

(d) *Establish groups of public and nonpublic institution representatives to facilitate articulation in subject areas.*

(e) *Conduct a continuing review of statewide articulation statutes, rules, regulations, and agreements and make recommendations to the State Board of Education and the Board of Governors for revisions.*

(f) *Review the application of transfer credit requirements from public and nonpublic institutions participating in the statewide course numbering system, including, but not limited to, instances of student transfer and admissions difficulties.*

(g) *Examine statewide data regarding articulation, recommend resolutions of issues, and propose programmatic and budget policies and procedures to improve articulation systemwide.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 8, line 26, after the semicolon (;) insert: amending s. 1007.01, F.S.; declaring additional legislative intent with respect to postsecondary articulation; prescribing duties of the Board of Governors with respect to development of articulation policies and guidelines; providing for an Articulation Coordinating Committee to report to the Commissioner of Education; providing for the committee's selection, membership, and duties;

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **CS for HB 7147** as amended was placed on the calendar of Bills on Third Reading.

By Senator Hill—

CS for CS for SB 112—A bill to be entitled An act relating to electroconvulsive therapy and psychosurgical procedures; requiring the Department of Health to compile data on the frequency and usage of electroconvulsive therapy and psychosurgery procedures on children; providing criteria for the data; requiring the department to report the data to the Legislature; providing an effective date.

—was read the second time by title.

Senator Rich moved the following amendment which was adopted:

Amendment 1 (652076)—On page 1, lines 24-26, delete those lines and insert: *and Family Services. The department shall report this*

Pursuant to Rule 4.19, **CS for CS for SB 112** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Wilson—

CS for SB 390—A bill to be entitled An act relating to child welfare professionals; designating the second Monday in May as "Child Welfare Professionals Recognition Day"; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 390** was placed on the calendar of Bills on Third Reading.

By Senator Saunders—

CS for SB 430—A bill to be entitled An act relating to mental health facilities; amending s. 394.461, F.S.; requiring mental health and treatment facilities designated by the Department of Children and Family Services to report certain financial and health service data to the department; providing a definition; providing reporting deadlines; providing a report by the department; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 430** was placed on the calendar of Bills on Third Reading.

On motion by Senator Saunders, by two-thirds vote **CS for HB 1007** was withdrawn from the Committees on Health Regulation; and Health and Human Services Appropriations.

On motion by Senator Saunders—

CS for HB 1007—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; requiring that a prescription be filled in a pharmacy unless it is a drug dispensed by a physician assistant; providing that authority to dispense may be delegated only by supervisory physicians registered as dispensing practitioners; providing an effective date.

—a companion measure, was substituted for **CS for SB 692** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1007** was placed on the calendar of Bills on Third Reading.

By Senator Lynn—

CS for SB 1190—A bill to be entitled An act relating to education articulation; amending s. 1007.01, F.S.; declaring additional legislative intent with respect to postsecondary articulation; prescribing duties of the Board of Governors with respect to development of articulation policies and guidelines; providing for an Articulation Coordinating Committee to report to the Commissioner of Education; providing for the committee's selection, membership, and duties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1190** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rich, by two-thirds vote **CS for HB 229** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

On motion by Senator Rich—

CS for HB 229—A bill to be entitled An act relating to the Guardian Ad Litem Program; creating s. 39.8298, F.S.; creating a direct-support organization for the Guardian Ad Litem Program; providing for the organization and operation of the organization for the Statewide Guardian Ad Litem Office; providing for a contract; providing for a board of directors; providing for the use of property, facilities, and personal services of the Statewide Guardian Ad Litem Office by the direct-support organization; providing restrictions; providing for the deposit of moneys; providing for an annual audit; providing limits on the direct-support organization; providing an effective date.

—a companion measure, was substituted for **CS for SB 1612** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 229** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz, by two-thirds vote **HB 515** was withdrawn from the Committees on Higher Education; Health Policy; and Higher Education Appropriations.

On motion by Senator Gaetz—

HB 515—A bill to be entitled An act relating to the University of West Florida; creating s. 1004.386, F.S.; authorizing master of science degree programs in nursing and social work; providing an effective date.

—a companion measure, was substituted for **SB 1648** and read the second time by title.

Pursuant to Rule 4.19, **HB 515** was placed on the calendar of Bills on Third Reading.

By Senator Lynn—

CS for SB 1770—A bill to be entitled An act relating to the use of technology to supplement visitation; amending s. 61.046, F.S.; defining the term “electronic communication”; creating s. 61.13002, F.S.; authorizing a court to order electronic communication between a parent and a child; specifying factors a court must consider before ordering electronic communication; creating a rebuttable presumption in favor of telephone communication; requiring each parent to furnish the other parent with information necessary to facilitate electronic communication; declaring that electronic communication may be used only to supplement, not supplant, a parent's face-to-face contact with his or her child; authorizing a person to seek court-ordered electronic communication without proving a substantial change in circumstances; prohibiting

the consideration of electronic communication as a factor in determining child support; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1770** was placed on the calendar of Bills on Third Reading.

By Senator Lynn—

CS for SB 1896—A bill to be entitled An act relating to parental plans and time-sharing with children; retitling ch. 61, F.S.; amending s. 61.046, F.S.; deleting the definitions of “custodial parent” and “noncustodial parent,” and defining the terms “parenting plan,” “parenting plan recommendation,” and “time-sharing schedule”; amending s. 61.052, F.S.; authorizing the court to issue an appropriate order for a parenting plan; amending s. 61.09, F.S.; authorizing the parent who is not receiving child support to apply to the court for support of the child; amending s. 61.10, F.S.; providing for the court to adjudicate parenting plans and the time-sharing schedules when unconnected with the dissolution of a marriage; amending s. 61.122, F.S.; providing for developing a parenting plan recommendation; amending s. 61.13, F.S.; authorizing the court to make orders relating to time-sharing and parenting of children; requiring equal treatment for mothers and fathers in parenting decisions; providing for the creation or modification of a parenting plan or time-sharing schedule; establishing criteria for determining the best interests of a child; providing that a parent may not refuse to obey time-sharing orders even if the other parent has not paid alimony or child support; authorizing a court to order additional time-sharing if the custodial parent refuses to abide by the time-sharing agreement or order; amending s. 61.13001, F.S.; providing for relocation of a child; providing for a relocation agreement between the parents; providing procedures for relocation when an agreement cannot be reached; requiring a court to consider the impact of a relocation on a child with certain health conditions; amending s. 61.181, F.S.; providing for distributing child support funds; amending s. 61.1827, F.S., relating to child support services; conforming provisions to changes made by the act; amending s. 61.20, F.S.; providing for the court to order a social service investigation if a parenting plan is at issue; amending s. 61.21, F.S.; providing that parties to a parenting plan or a time-sharing schedule may be required by the court to attend a parenting course; amending s. 61.30, F.S.; revising calculations for child support awards; amending s. 61.401, F.S.; authorizing the court to appoint a guardian ad litem in cases involving a parenting plan or a time-sharing schedule; amending s. 61.45, F.S.; providing for court orders for parenting plans and time-sharing schedules; amending s. 741.0306, F.S.; including material on parenting plans and time-sharing schedules in the family law handbook prepared by The Florida Bar; amending s. 741.30, F.S., relating to injunctions against domestic violence; conforming provisions to changes made by the act; amending s. 742.031, F.S.; providing for parenting plans and time-sharing schedules in proceedings to determine paternity; reenacting s. 61.1825(3)(a), F.S., relating to the State Case Registry, to incorporate the amendments made to s. 741.30, F.S., in a reference thereto; repealing s. 61.121, F.S., relating to court orders for rotating custody between parents if it is in the best interests of the child; providing an effective date.

—was read the second time by title.

Senator Lynn moved the following amendment which was adopted:

Amendment 1 (123254)—On page 23, lines 1-8, delete those lines and insert:

(l) Evidence that either parent has knowingly provided false information to the court regarding any prior or pending action regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect.

Pursuant to Rule 4.19, **CS for SB 1896** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Constantine—

CS for CS for SB 2130—A bill to be entitled An act relating to exceptional students; requiring a study by the Office of Program Policy

Analysis and Government Accountability of the provision of educational services to certain exceptional students referred to or placed in private residential care facilities; defining terms; requiring a report with recommendations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2130** was placed on the calendar of Bills on Third Reading.

On motion by Senator King, by two-thirds vote **HB 851** was withdrawn from the Committees on Higher Education; Governmental Operations; and Higher Education Appropriations.

On motion by Senator King—

HB 851—A bill to be entitled An act relating to historic preservation; creating s. 267.1735, F.S.; providing goals for contracting with the University of Florida for management of certain state-owned properties; requiring agreement of all parties to contracts for management of such properties and the University of Florida; rescinding existing contracts upon execution of contract between the University of Florida and the Board of Trustees of the Internal Improvement Trust Fund; specifying use of proceeds derived from the management of such properties; authorizing transfer and ownership of certain artifacts, documents, and properties to the university; providing for transfer of records, property, and funds to the university; specifying certain powers and duties of the University of Florida; providing that the university may contract with its direct-support organization to perform all acts necessary to assist the university in carrying out its historic preservation and historic education responsibilities; delineating certain powers; authorizing contracting without competitive bidding under certain circumstances; providing eligibility to match state funds in the University Major Gifts Program; creating s. 267.1736, F.S.; requiring the authorization of a direct-support organization to assist the university in historic preservation and historic preservation education purposes and responsibilities; providing purposes and duties of the direct-support organization; providing for a board of directors; providing membership requirements; delineating contract and other governance requirements; repealing s. 267.171, F.S., relating to contract with the City of St. Augustine for the management of certain state-owned properties, contingent on execution of a specified contract; providing an effective date.

—a companion measure, was substituted for **CS for SB 2404** and read the second time by title.

Pursuant to Rule 4.19, **HB 851** was placed on the calendar of Bills on Third Reading.

On motion by Senator King, by two-thirds vote **HB 853** was withdrawn from the Committees on Higher Education; and Governmental Operations.

On motion by Senator King—

HB 853—A bill to be entitled An act relating to public records; amending s. 267.1736, F.S.; providing an exemption from public records requirements for certain donor and prospective donor information involving state-owned properties in a historic district in the City of St. Augustine; providing for future legislative review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 2406** and read the second time by title.

Pursuant to Rule 4.19, **HB 853** was placed on the calendar of Bills on Third Reading.

By Senator Wise—

CS for SB 2512—A bill to be entitled An act relating to public school educator certification; creating s. 1012.587, F.S.; specifying inservice requirements for educators who provide English for Speakers of Other Languages instruction; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2512** was placed on the calendar of Bills on Third Reading.

By Senator Jones—

CS for CS for SB 1916—A bill to be entitled An act relating to assisted living facilities and adult day care centers; amending s. 429.52, F.S.; requiring the Department of Elderly Affairs to develop a staff training curriculum; requiring trainers to be registered with the department; requiring trainers to document experience and credentials; requiring the adoption of rules; amending s. 429.907, F.S.; providing for operation of adult day care centers in temporary locations in the event of disaster or emergency; providing notification requirements when adult day care centers relocate; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1916** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 2032** was deferred.

By Senator Rich—

CS for CS for SB 2114—A bill to be entitled An act relating to independent living transition services; amending s. 322.09, F.S.; limiting liability of a caseworker who signs an application for a driver's license for a minor who is in foster care; requiring a caseworker to provide notice of intent to sign the application to specified persons; amending s. 409.1451, F.S.; revising eligibility criteria for independent living transition services; exempting foster parents and caregivers from responsibility for the actions of certain children engaged in activities specified in a written plan; requiring certain children eligible for subsidized independent living services to be formally evaluated under certain circumstances; revising eligibility criteria for the Road-to-Independence Program; amending s. 409.903, F.S.; increasing the age limit for eligibility for certain persons to qualify for medical assistance payments; creating s. 743.044, F.S.; providing for the removal of disabilities of certain minors for purposes of securing depository financial services; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2114** was placed on the calendar of Bills on Third Reading.

By Senator Bennett—

CS for CS for SB 2022—A bill to be entitled An act relating to immunization services; providing a short title; amending s. 465.003, F.S.; revising a definition relating to the practice of pharmacists; creating s. 465.189, F.S.; authorizing pharmacists to administer influenza virus immunizations to adults; providing requirements with respect thereto; requiring that the protocol between a pharmacist and supervising physician contain certain information, terms, and conditions; requiring that pharmacists authorized to administer influenza virus immunizations provide evidence of current certification by the Centers for Disease Control of the United States Department of Health to the supervising physician; requiring supervising physicians to review certain information in accordance with the written protocol; creating the Task Force for the Study of Biotech Competitiveness; providing for staff support by the Governor's Office of Tourism, Trade, and Economic Development; providing for appointment of members; requiring a study; requiring a report; providing for expiration of the task force; providing an effective date.

—was read the second time by title.

Senator Haridopolos moved the following amendment which failed:

Amendment 1 (334654)(with title amendment)—On page 3, line 10 through page 4, line 17, delete those lines and insert:

(1) *Pharmacists who hold a doctor of pharmacy degree may administer influenza virus immunizations to adults within the framework of an established protocol under a supervisory practitioner who is a physician licensed under chapter 458 or chapter 459 or by written agreement with a county health department. Each protocol shall contain specific procedures for addressing any unforeseen allergic reaction to influenza virus immunizations.*

(2) *A pharmacist may not enter into a protocol unless he or she maintains at least \$200,000 of professional liability insurance and has completed training in influenza virus immunizations as provided in this section.*

(3) *A pharmacist administering influenza virus immunizations shall maintain and make available patient records using the same standards for confidentiality and maintenance of such records as those that are imposed on health care practitioners under s. 456.057. These records shall be maintained for a minimum of 5 years.*

(4) *The decision by a supervisory practitioner to enter into a protocol under this section is a professional decision on the part of the practitioner and a person may not interfere with a supervisory practitioner's decision as to entering into such a protocol. A pharmacist may not enter into a protocol that is to be performed while acting as an employee without the written approval of the owner of the pharmacy. Pharmacists shall forward immunization records to the department for inclusion in the state registry of immunization information.*

(5) *Any pharmacist seeking to administer influenza virus immunizations to adults under this section must be certified to administer influenza virus immunizations pursuant to a certification program approved by the Board of Pharmacy in consultation with the Board of Medicine and the Board of Osteopathic Medicine. The certification program shall, at a minimum, require that the pharmacist attend at least 20 semester hours of continuing education classes approved by the Board of Medicine. The program shall have a curriculum of instruction concerning the safe and effective administration of influenza virus immunizations, including, but not limited to, potential allergic reactions to influenza virus immunizations.*

And the title is amended as follows:

On page 1, line 6, after "authorizing", insert: certain

Senator Bennett moved the following amendment which was adopted:

Amendment 2 (291964)—On page 3, line 12 through page 5, line 3, delete those lines and insert: *protocol under a supervisory practitioner who is a physician licensed under chapter 458 or chapter 459. Each protocol shall contain specific procedures for addressing any unforeseen allergic reaction to influenza virus immunizations.*

(2) *A pharmacist may not enter into a protocol unless he or she maintains at least \$200,000 of professional liability insurance and has completed training in influenza virus immunizations as provided in this section.*

(3) *A pharmacist administering influenza virus immunizations shall maintain and make available patient records using the same standards for confidentiality and maintenance of such records as those that are imposed on health care practitioners under s. 456.057. These records shall be maintained for a minimum of 5 years.*

(4) *The decision by a supervisory practitioner to enter into a protocol under this section is a professional decision on the part of the practitioner and a person may not interfere with a supervisory practitioner's decision as to entering into such a protocol. A pharmacist may not enter into a protocol that is to be performed while acting as an employee without the written approval of the owner of the pharmacy. Pharmacists shall forward immunization records to the department for inclusion in the state registry of immunization information.*

(5) *Any pharmacist seeking to administer influenza virus immunizations to adults under this section must be certified to administer influenza virus immunizations pursuant to a certification program approved by the Board of Pharmacy in consultation with the Board of Medicine and the Board of Osteopathic Medicine. The certification program shall, at a minimum, require that the pharmacist attend at least 20 hours of continuing education classes approved by the board. The program shall*

have a curriculum of instruction concerning the safe and effective administration of influenza virus immunizations, including, but not limited to, potential allergic reactions to influenza virus immunizations.

(6) *The written protocol between the pharmacist and supervising physician must include particular terms and conditions imposed by the supervising physician upon the pharmacist relating to the administration of influenza virus immunizations by the pharmacist. The written protocol must include, at a minimum, specific categories and conditions among patients for whom the supervising physician authorizes the pharmacist to administer influenza virus immunizations. The terms, scope, and conditions set forth in the written protocol between the pharmacist and the supervising physician must be appropriate to the pharmacist's training and certification for immunization. Pharmacists who have been delegated the authority to administer influenza virus immunizations by the supervising physician shall provide evidence of current certification by the Board of Pharmacy to the supervising physician. Supervising physicians shall review the*

Pursuant to Rule 4.19, **CS for CS for SB 2022** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater, by unanimous consent—

CS for CS for SB 770—A bill to be entitled An act relating to the physician workforce; creating s. 381.4018, F.S.; providing legislative intent; creating the Office of Physician Workforce Assessment and Development within the Division of Health Access and Tobacco of the Department of Health; requiring that the office serve as a coordinating and planning body to assess the state's future workforce needs for physicians; requiring the office to develop strategies for addressing the current and projected workforce needs; specifying additional functions of the office; requiring each allopathic and osteopathic physician in the state to complete a survey concerning the physician's practice as a condition of license renewal; specifying the information to be furnished to the Department of Health in the physician survey; providing for a nondisciplinary citation to be issued to a physician or osteopathic physician who fails to complete the required survey; requiring the department to provide notice of the applicable penalty; requiring the Office of Physician Workforce Assessment and Development to annually analyze and evaluate the results of the survey; requiring the office to report its findings to the Governor and the Legislature; creating the Physician Workforce Advisory Council within the Department of Health to assist the department with respect to physician workforce issues; providing for the membership of the advisory council and terms of office; providing for members of the council to be reimbursed for travel and per diem expenses; providing an effective date.

—was taken up out of order and read the second time by title.

MOTION

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

Senator Atwater moved the following amendments which were adopted:

Amendment 1 (844080)—On page 3, lines 23 and 24, delete those lines and insert: *as a statewide source of data concerning the physician workforce.*

Amendment 2 (690790)—On page 9, line 18, insert:

Such information furnished must include a statement submitted by the physician that the information provided is true and accurate to the best of his or her knowledge and the submission does not contain any knowingly false information.

Pursuant to Rule 4.19, **CS for CS for SB 770** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater, by unanimous consent—

CS for SB 1034—A bill to be entitled An act relating to public records; exempting from public-records requirements personal identifying infor-

mation contained in workforce surveys completed by physicians as a condition of license renewal and provided to the Department of Health; authorizing certain entities access to such personal identifying information; providing guidelines for the use of such information; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a finding of public necessity; providing a contingent effective date.

—was taken up out of order and read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1034** was placed on the calendar of Bills on Third Reading.

On motion by Senator Margolis, by two-thirds vote **HB 7181** was withdrawn from the Committees on Children, Families, and Elder Affairs; Community Affairs; and Health and Human Services Appropriations.

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

HB 7181—A bill to be entitled An act relating to immigrant victims of human trafficking and other serious crimes; creating s. 414.156, F.S.; providing a definition; providing for the establishment of a state-funded benefit program subject to the availability of funds; providing for eligibility for benefits; providing for termination of benefits; providing for the creation of a public awareness campaign; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 2032** and by two-thirds vote read the second time by title.

MOTION

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

Senator Margolis moved the following amendment which was adopted:

Amendment 1 (294230)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *The Department of Children and Family Services shall establish a structure by which the department shall:*

(1) *Provide services to immigrant survivors of human trafficking, domestic violence, and other serious crimes, during the interim period between the time the survivor applies for a visa and receives such visa from the United States Department of Homeland Security or receives certification from the United States Department of Health and Human Services;*

(2) *Ensure that immigrant survivors of serious crimes are eligible to receive existing state and local benefits and services to the same extent that refugees receive those benefits and services;*

(3) *Ensure that immigrant survivors of serious crimes have access to state-funded services that are equivalent to the federal programs that provide cash, medical services, and social service for refugees;*

(4) *Provide survivors of serious crimes with medical care, mental health care, and basic assistance in order to help them secure housing, food, and supportive services;*

(5) *Create a state-funded component of the cash, medical, and social services programs for refugees for the purpose of serving immigrant survivors during the temporary period while they wait for federal processing to be completed;*

(6) *Provide that a sworn statement by a survivor is sufficient evidence for the purposes of determining eligibility if that statement is supported by at least one item of additional evidence, including, but not limited to:*

(a) *Police and court records;*

(b) *News articles;*

(c) *Documentation from a professional agency;*

(d) *Physical evidence; or*

(e) *A statement from an individual having knowledge of the circumstances providing the basis for the claim;*

(7) *Develop a public-awareness program for employers and other organizations that may come into contact with immigrant survivors of human trafficking in order to provide education and raise awareness of the problem.*

Section 2. This act shall take effect July 1, 2007.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to immigrant survivors of human trafficking and other serious crimes; requiring the Department of Children and Family Services to provide services to immigrant survivors of human trafficking, domestic violence, and other serious crimes; providing for the same state and local benefits that refugees receive; ensuring that immigrant survivors of serious crimes have access to state-funded services for refugees; providing survivors of serious crimes with supportive services; creating a state-funded component of the cash, medical, and social services programs for refugees to serve victims during a temporary waiting period; providing that a sworn statement by a victim is sufficient evidence for the purposes of determining eligibility for services if supported by at least one piece of additional evidence; providing for a public-awareness program for employers and other organizations that may come into contact with immigrant survivors of human trafficking; providing an effective date.

Pursuant to Rule 4.19, **HB 7181** as amended was placed on the calendar of Bills on Third Reading.

BILLS ON THIRD READING

Consideration of **CS for SB's 2730 and 1596**, **CS for SB 1900**, and **CS for HB 449** was deferred.

CS for CS for CS for SB 2054—A bill to be entitled An act relating to the Department of Environmental Protection; amending s. 258.007, F.S.; deleting a penalty for a rule violation; creating s. 258.008, F.S.; creating penalties for the violation of rules adopted under ch. 258, F.S., and for specified activities within the boundaries of a state park; providing for fines to be deposited into the State Park Trust Fund; providing for court costs under certain circumstances; amending s. 316.212, F.S.; allowing the operation of golf carts on roads within the state park system under certain conditions; amending s. 373.4142, F.S.; providing statewide consistency for water quality standards in the Northwest Florida Water Management District; amending s. 373.414, F.S.; providing that certain variance provisions apply in the Northwest Florida Water Management District; amending s. 373.4211, F.S.; ratifying the wetland rule and amending it to include certain plant species approved by the Environmental Regulation Commission; providing for delay of the ratification until certain conditions are met; amending s. 403.067, F.S.; providing for the trading of water quality credits in the total maximum daily load program in areas that have adopted a basin action plan; providing for rules and specifying what the rules must address; amending s. 403.088, F.S.; providing for the revision of water pollution operation permits; amending s. 403.50663, F.S.; clarifying certain notice requirements; amending s. 403.50665, F.S.; providing for a local government to issue a statement of inconsistency with existing land use plans and zoning ordinances due to incompleteness of information necessary for an evaluation; amending s. 403.508, F.S.; clarifying certain hearing requirements for land use and certification hearings; amending s. 403.509, F.S.; clarifying certain provisions relating to certifications issued by the Department of Environmental Protection; amending s. 403.5113, F.S.; providing technical corrections to provisions requiring postcertification amendments and review; amending s. 403.5115, F.S.; clarifying certain public-notice requirements; amending s. 403.5252, F.S.; clarifying provisions relating to the determination of completeness of an application for an electric transmission line; amending s. 403.527, F.S.; clarifying the time under which the department or the applicant may request the cancellation of a certification hearing for a proposed transmission line; amending s. 403.5271, F.S.; clarifying the responsibilities of reviewing agencies to review the completeness of an application; amending s. 403.5317, F.S.; clarifying the provisions relating to a change in the

condition of a certification; amending s. 403.5363, F.S.; providing that notice of a cancellation of a certification hearing must be within a certain time; amending s. 376.30715, F.S.; amending s. 373.459, F.S.; repealing a provision that repealed a subsection concerning financial match requirements and certain expenditure limitations for surface water protection programs; providing an effective date.

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

MOTION

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

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

Amendment 1 (192066)(with title amendment)—On page 8, between lines 13 and 14, insert:

Section 4. Subsection (1) and paragraph (d) of subsection (2) of section 373.073, Florida Statutes, are amended to read:

373.073 Governing board.—

(1)(a) The governing board of each water management district shall be composed of 9 members who shall reside within the district, except that the *South Florida Water Management District and the Southwest Florida Water Management District* shall be composed of 11 members who shall reside within *their respective districts* ~~the district~~. Members of the governing boards shall be appointed by the Governor, subject to confirmation by the Senate at the next regular session of the Legislature, and the refusal or failure of the Senate to confirm an appointment creates a vacancy in the office to which the appointment was made. The term of office for a governing board member is 4 years and commences on March 2 of the year in which the appointment is made and terminates on March 1 of the fourth calendar year of the term or may continue until a successor is appointed, but not more than 180 days. Terms of office of governing board members shall be staggered to help maintain consistency and continuity in the exercise of governing board duties and to minimize disruption in district operations.

(b) Commencing January 1, 1999, the Governor shall appoint the following number of governing board members in each year of the Governor's 4-year term of office:

1. In the first year of the Governor's term of office, the Governor shall appoint three members to the governing board of each district.

2. In the second year of the Governor's term of office, the Governor shall appoint three members to the governing board of the *South Florida Water Management District*, *three members to the governing board of the Southwest Florida Water Management District*, and two members to the governing board of each other district.

3. In the third year of the Governor's term of office, the Governor shall appoint three members to the governing board of the *South Florida Water Management District*, *three members to the governing board of the Southwest Florida Water Management District*, and two members to the governing board of each other district.

4. In the fourth year of the Governor's term of office, the Governor shall appoint two members to the governing board of each district.

For any governing board vacancy that occurs before the date scheduled for the office to be filled under this paragraph, the Governor shall appoint a person meeting residency requirements of subsection (2) for a term that will expire on the date scheduled for the term of that office to terminate under this subsection. In addition to the residency requirements for the governing boards as provided by subsection (2), the Governor shall consider appointing governing board members to represent an equitable cross section of regional interests and technical expertise.

(2) Membership on governing boards shall be selected from candidates who have significant experience in one or more of the following areas, including, but not limited to: agriculture, the development industry, local government, government-owned or privately owned water utilities, law, civil engineering, environmental science, hydrology, accounting, or financial businesses. Notwithstanding the provisions of any other general or special law to the contrary, vacancies in the governing boards

of the water management districts shall be filled according to the following residency requirements, representing areas designated by the United States Water Resources Council in United States Geological Survey, River Basin and Hydrological Unit Map of Florida—1975, Map Series No. 72:

(d) South Florida Water Management District:

1. Two members shall reside in Dade County.

2. One member shall reside in Broward County.

3. One member shall reside in Palm Beach County.

4. *One member shall reside in Lee County.*

5. *One member shall reside in St. Lucie County or Martin County.*

6.4. One member shall reside in Collier County, ~~Lee County~~, Hendry County, or Charlotte County.

7.5. One member shall reside in Glades County, Okeechobee County, Highlands County, Polk County, Orange County, or Osceola County.

8.6. Two members, appointed at large, shall reside in an area consisting of St. Lucie, Martin, Palm Beach, Broward, Dade, and Monroe Counties.

9.7. One member, appointed at large, shall reside in an area consisting of Collier, Lee, Charlotte, Hendry, Glades, Osceola, Okeechobee, Polk, Highlands, and Orange Counties.

10.8. ~~A No county may not shall~~ have more than three members on the governing board.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, delete line 14 and insert: conditions; amending s. 373.073, F.S.; providing for two additional members to be appointed to the governing board of the South Florida Water Management District; revising the residence requirements for the members of the governing board; amending s. 373.4142, F.S.;

MOTION

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

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

Amendment 2 (812634)(with title amendment)—On page 43, between lines 18 and 19, insert:

Section 22. Subsection (4) of section 704.06, Florida Statutes, is amended to read:

704.06 Conservation easements; creation; acquisition; enforcement.—

(4) Conservation easements shall run with the land and be binding on all subsequent owners of the servient estate. *Notwithstanding the provisions of s. 197.552, all provisions of a conservation easement shall survive and are enforceable after the issuance of a tax deed.* No conservation easement shall be unenforceable on account of lack of privity of contract or lack of benefit to particular land or on account of the benefit being assignable. Conservation easements may be enforced by injunction or proceeding in equity or at law, and shall entitle the holder to enter the land in a reasonable manner and at reasonable times to assure compliance. A conservation easement may be released by the holder of the easement to the holder of the fee even though the holder of the fee may not be a governmental body or a charitable corporation or trust.

Section 23. *Tax increment financing for conservation lands.*—

(1) *Two or more counties, or a combination of at least one county and one or more municipalities, may establish, through an interlocal agreement, a tax increment area for conservation lands. The interlocal agreement, at a minimum, must:*

- (a) Identify the geographic boundaries of the tax increment area;
- (b) Identify the real property to be acquired as conservation land within the tax increment area;
- (c) Establish the percentage of tax increment financing for each jurisdiction in the tax increment area which is a party to the interlocal agreement;
- (d) Identify the governing body of the jurisdiction that will administer a separate reserve account in which the tax increment will be deposited;
- (e) Require that any tax increment revenues not used to purchase conservation lands by a date certain be refunded to the parties to the interlocal agreement. Any refund shall be proportionate to the parties' payment of tax increment revenues into the separate reserve account;
- (f) Provide for an annual audit of the separate reserve account;
- (g) Designate an entity to hold title to any conservation lands purchased using the tax increment revenues;
- (h) Provide for a continuing management plan for the conservation lands; and
- (i) Identify the entity that will manage these conservation lands.

(2) The water management district in which conservation lands proposed for purchase under this section are located may also enter into the interlocal agreement if the district provides any funds for the purchase of the conservation lands. The water management districts may only use ad valorem tax revenues for agreements described within this section.

(3) The governing body of the jurisdiction that will administer the separate reserve account shall provide documentation to the Department of Community Affairs identifying the boundary of the tax increment area. The department shall determine whether the boundary is appropriate in that property owners within the boundary will receive a benefit from the proposed purchase of identified conservation lands. The department must issue a letter of approval stating that the establishment of the tax increment area and the proposed purchases would benefit property owners within the boundary and serve a public purpose before any tax increment funds are deposited into the separate reserve account. If the department fails to provide the required letter within 90 days after receiving sufficient documentation of the boundary, the establishment of the area and the proposed purchases are deemed to provide such benefit and serve a public purpose.

(4) Prior to the purchase of conservation lands under this section, the Department of Environmental Protection must determine whether the proposed purchase is sufficient to provide additional recreational and ecotourism opportunities for residents in the tax increment area. If the department fails to provide a letter of approval within 90 days after receipt of the request for such a letter, the purchase is deemed sufficient to provide recreation and ecotourism opportunities.

(5) The tax increment authorized under this section shall be determined annually and may not exceed 95 percent of the difference in ad valorem taxes as provided in s. 163.387(1)(a), Florida Statutes.

(6) A separate reserve account must be established for each tax increment area for conservation lands which is created under this section. The separate reserve account must be administered pursuant to the terms of the interlocal agreement. Tax increment funds allocated to this separate reserve account shall be used to acquire the real property identified for purchase in the interlocal agreement. Pursuant to the interlocal agreement, the governing body of the local government that will administer the separate reserve account may spend increment revenues to purchase the real property only if all parties to the interlocal agreement adopt a resolution approving the purchase price.

(7) The annual funding of the separate reserve account may not be less than the increment income of each taxing authority which is held as provided in the interlocal agreement for the purchase of conservation lands.

(8) Unless otherwise provided in the interlocal agreement, a taxing authority that does not pay the tax increment revenues to the separate

reserve account by January 1 shall pay interest on the amount of unpaid increment revenues equal to 1 percent for each month that the increment revenue remains outstanding.

(9) The public bodies and taxing authorities listed in s. 163.387(2)(c), Florida Statutes, school districts and special districts that levy ad valorem taxes within a tax increment area are exempt from this section.

(10) Revenue bonds under this section are payable solely out of revenues pledged to and received by the local government administering the separate reserve account and deposited into the separate reserve account. The revenue bonds issued under this section do not constitute a debt, liability, or obligation of a public body, the state, or any of the state's political subdivisions.

Section 24. The Legislature finds that an inadequate supply of conservation lands limits recreational opportunities and negatively impacts the economy, health, and welfare of the surrounding community. The Legislature also finds that acquiring conservation lands for recreational opportunities and ecotourism serves a valid public purpose.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 3, line 8, after the semicolon (;) insert: amending s. 704.06, F.S.; providing that all provisions of a conservation easement shall survive and remain enforceable after the issuance of a tax deed; authorizing two or more counties, or a combination of at least one county and municipality, to establish a tax increment area for conservation lands by interlocal agreement; providing requirements for such an interlocal agreement; requiring that a tax increment be determined annually; limiting the amount of the tax increment; requiring the establishment of a separate reserve account for each tax increment area; providing for a refund; requiring an annual audit of the separate reserve account; providing for the administration of the separate reserve account; providing that the governmental body that administers the separate reserve account may spend revenues from the tax increment to purchase real property only if all parties to the interlocal agreement adopt a resolution that approves the purchase price; providing that a water management district may be a party to the interlocal agreement; requiring certain approvals from the Department of Environmental Protection and the Department of Community Affairs; providing a comparative standard on which the minimum annual funding of the separate reserve account must be based; requiring a taxing authority that does not pay tax increment revenues to the separate reserve account before a specified date to pay a specified amount of interest on the amount of unpaid increment revenues; providing exemptions for certain public bodies, taxing authorities, school districts and special districts; providing that revenue bonds may be paid only from revenues deposited into the separate reserve account; providing that such revenue bonds are not a debt, liability, or obligation of the state or any public body; providing legislative findings;

On motions by Senator Saunders, **CS for CS for CS for SB 2054** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

Consideration of **HB 549** was deferred.

CS for SB 1206—A bill to be entitled An act relating to warranty responsibility for motor vehicle dealers; amending s. 320.696, F.S.; providing that reasonable compensation for work, including labor and parts, is the same under warranty as under other circumstances unless the motor vehicle manufacturer, distributor, or importer demonstrates that the charges are proper; prohibiting a motor vehicle manufacturer, distributor, or importer from imposing a charge on a motor vehicle dealer for warranty work and certain products; providing an effective date.

—was read the third time by title.

On motions by Senator Atwater, **CS for SB 1206** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for CS for CS for SB 2434—A bill to be entitled An act relating to electronic gaming machines; amending s. 24.103, F.S.; providing definitions; amending s. 24.105, F.S.; providing powers and duties of the Department of the Lottery pertaining to video lottery games; creating s. 24.125, F.S.; providing for the adoption of rules; creating s. 24.126, F.S.; prohibiting certain persons from playing video lottery games; creating s. 24.127, F.S.; providing requirements for the operation of video lottery games; providing for fines and orders of suspension; providing a payout percentage; providing for a license fee; providing for the distribution of income; providing for weekly allocations; providing penalties; creating s. 24.128, F.S.; providing for the licensure of video lottery terminal vendors; providing for emergency rules; creating s. 24.129, F.S.; prohibiting certain local zoning ordinances; creating s. 24.130, F.S.; providing requirements for video lottery terminals; creating s. 24.131, F.S.; requiring video lottery terminal vendors to establish training programs for employees who service such terminals; requiring departmental approval of such programs; providing certification requirements for such employees; providing for the adoption of rules; creating s. 24.132, F.S.; requiring video lottery retailers to execute certain agreements governing the payment of purses and special thoroughbred racing awards; requiring the remittance of funds pursuant to such agreements; authorizing the department to sanction certain breeders; prohibiting the operation of video lottery games in the absence of agreements; requiring arbitration if agreements are not in place; requiring the video lottery retailer to make certain payments for the promotion of the racing industry; creating s. 24.133, F.S.; requiring operators of facilities where video lottery games are conducted to post certain signs regarding compulsive gambling; creating s. 24.134, F.S.; providing compulsive gambling programs; creating s. 24.136, F.S.; authorizing a caterer's license for video lottery retailers; creating s. 24.137, F.S.; prohibiting video lottery retailers from engaging in certain activities; creating s. 24.138, F.S.; providing for the exclusion of certain persons from a retailer's premises; creating s. 24.139, F.S.; requiring retailers to provide office space for department employees; amending s. 212.02, F.S.; excluding video lottery terminals from the definition of the term "coin-operated amusement machine" for purposes of the sales and use tax; amending s. 551.102, F.S.; defining the term "nonredeemable credits"; redefining the term "slot machine revenues"; amending s. 551.103, F.S.; deleting a requirement that the Division of Pari-mutuel Wagering annually adjust the amount of the bond supplied by a slot machine licensee; establishing the annual amount of bond required; providing for procedures for drug testing; amending s. 551.104, F.S.; providing for implementation of a drug-testing program; amending

s. 551.1045, F.S.; providing procedures for temporary occupational licenses; deleting provisions for temporary licensees to be adopted within 180 days; amending s. 551.106, F.S.; establishing when payment of the annual slot machine license fee must be made by a licensee; providing for tax credits on slot machine revenues; amending s. 551.107, F.S.; authorizing the division to adopt rules to create a single occupational license; providing for validity; providing for additional disciplinary actions; amending s. 551.109, F.S.; exempting slot machine manufacturers and distributors, certain educational facilities, the division, and the Department of Law Enforcement from certain prohibitions against possessing slot machines at a place other than the licensee's facility under certain circumstances; authorizing agency rulemaking; amending s. 551.114, F.S.; increasing the number of slot machines a licensee may make available for play; amending s. 551.116, F.S.; increasing the hours that slot machine gaming areas may be open upon local government approval; amending s. 551.121, F.S.; authorizing automatic teller machines in certain areas of a pari-mutuel facility; excluding check cashing in the designated slot machine gaming areas; amending s. 849.15, F.S.; clarifying the authority to legally ship slot machines into the state under certain circumstances; providing an appropriation and authorizing additional positions; providing an effective date.

—as amended April 26 was read the third time by title.

On motions by Senator Geller, **CS for CS for CS for SB 2434** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—34

Mr. President	Fasano	Margolis
Alexander	Gaetz	Oelrich
Aronberg	Garcia	Peaden
Atwater	Geller	Posey
Bennett	Haridopolos	Rich
Bullard	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Siplin
Dawson	Justice	Villalobos
Deutch	King	Wilson
Diaz de la Portilla	Lawson	
Dockery	Lynn	

Nays—5

Baker	Storms	Wise
Carlton	Webster	

Vote after roll call:

Yea to Nay—Gaetz, Haridopolos, Peaden, Posey, Siplin

HB 549—A bill to be entitled An act relating to power plants; amending s. 366.93, F.S.; revising definitions related to certain power plants to include integrated gasification combined cycle power plants; requiring the Public Service Commission to implement rules related to integrated gasification combined cycle power plant cost recovery; requiring a report; amending s. 403.502, F.S.; providing legislative intent for the consideration of renewable energy sources and technologies and conservation measures in actions related to electrical power plant and transmission line siting; amending s. 403.519, F.S.; providing requirements and procedures for determination of need for integrated gasification combined cycle power plants; requiring consideration of renewable energy sources and technologies and conservation measures in power plant siting determinations; providing an exemption from purchased power supply bid rules under certain circumstances; providing an effective date.

—as amended April 26 was read the third time by title.

On motions by Senator Bennett, **HB 549** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Aronberg	Baker
Alexander	Atwater	Bennett

Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dawson	Joyner	Saunders
Deutch	Justice	Siplin
Diaz de la Portilla	King	Storms
Dockery	Lawson	Villalobos
Fasano	Lynn	Webster
Gaetz	Margolis	Wilson
Garcia	Oelrich	Wise

Nays—None

CS for CS for SB's 352 and 240—A bill to be entitled An act relating to real property fraud; creating s. 817.545, F.S.; defining the term “mortgage lending process”; specifying the elements of the offense of real property fraud; providing that such offense is a third-degree felony; providing for venue with respect to the committed offense; providing penalties; providing an effective date.

—was read the third time by title.

On motions by Senator Margolis, **CS for CS for SB's 352 and 240** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for CS for SB 1880—A bill to be entitled An act relating to motor vehicle insurance; requiring the Department of Financial Services and the Office of Insurance Regulation to conduct a comprehensive review of the Florida Motor Vehicle No-Fault Law; requiring a report to the Governor and the Legislature; requiring the state attorneys in certain judicial circuits to provide information to the department concerning violations of the Florida Motor Vehicle No-Fault Law; requiring the department to collect information relating to cases of insurance fraud with respect to such law; requiring that the department report such information to the Governor and the Legislature; repealing s. 19 of chapter 2003-411, Laws of Florida; abrogating the repeal of the Florida Motor Vehicle No-Fault Law as provided for in that section; reenacting ss. 627.730, 627.731, 627.732, 627.733, 627.734, 627.736, 627.737, 627.739, 627.7401, 627.7403, and 627.7405, F.S., the Florida Motor Vehicle No-Fault Law, and providing for future review and repeal; providing appropriations and authorizing additional positions; providing an effective date.

—as amended April 26 was read the third time by title.

On motions by Senator Posey, **CS for CS for SB 1880** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Baker	Crist
Alexander	Bennett	Dawson
Aronberg	Bullard	Deutch
Atwater	Constantine	Diaz de la Portilla

Dockery	King	Saunders
Fasano	Lawson	Siplin
Gaetz	Lynn	Storms
Garcia	Margolis	Villalobos
Geller	Oelrich	Webster
Hill	Peaden	Wilson
Jones	Posey	Wise
Joyner	Rich	
Justice	Ring	

Nays—None

Vote after roll call:

Yea—Haridopolos

THE PRESIDENT PRESIDING

SENATOR FASANO PRESIDING

On motion by Senator Jones, by two-thirds vote **CS for HB 615** was withdrawn from the Committees on Transportation; Health Policy; Finance and Tax; and Transportation and Economic Development Appropriations.

On motion by Senator Jones—

CS for HB 615—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.02, F.S.; revising provisions relating to a voluntary checkoff on motor vehicle registration and renewal application forms to distribute funds to the Miami Heart Research Institute, Inc.; authorizing a voluntary checkoff on motor vehicle registration and renewal application forms to distribute \$1 to the Children’s Hearing Help Fund; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 482** as amended April 26 and read the second time by title. On motions by Senator Jones, by two-thirds vote **CS for HB 615** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 670—A bill to be entitled An act relating to pedestrian safety; amending ss. 316.075 and 316.130, F.S.; requiring a driver to stop at certain intersections to allow a pedestrian to cross a roadway when the pedestrian is either in the crosswalk or steps into the crosswalk; providing penalties; providing an effective date.

—was read the third time by title.

On motions by Senator Jones, **CS for SB 670** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Atwater	Bullard
Alexander	Baker	Constantine
Aronberg	Bennett	Crist

Dawson	Jones	Rich
Deutch	Joyner	Ring
Diaz de la Portilla	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wilson
Haridopolos	Peaden	Wise
Hill	Posey	

Nays—None

Vote after roll call:

Yea—Carlton

CS for CS for SB's 1038 and 218—A bill to be entitled An act relating to slot machine gaming, as authorized by Section 23 of Article X of the State Constitution; amending s. 551.102, F.S.; defining the term “nonredeemable credits”; redefining the term “slot machine revenues”; amending s. 551.103, F.S.; deleting a requirement that the Division of Pari-mutuel Wagering annually adjust the amount of the bond supplied by a slot machine licensee; establishing the annual amount of bond required; providing for procedures for drug testing; amending s. 551.104, F.S.; providing for implementation of a drug-testing program; amending s. 551.1045, F.S.; providing procedures for temporary occupational licenses; deleting provisions for temporary licensees to be adopted within 180 days; amending s. 551.106, F.S.; establishing when payment of the annual slot machine license fee must be made by a licensee; amending s. 551.107, F.S.; authorizing the division to adopt rules to create a single occupational license; providing for validity; providing for additional disciplinary actions; amending s. 551.109, F.S.; exempting slot machine manufacturers and distributors, certain educational facilities, the division, and the Department of Law Enforcement from certain prohibitions against possessing slot machines at a place other than the licensee’s facility under certain circumstances; authorizing agency rulemaking; amending s. 551.114, F.S.; increasing the number of slot machines a licensee may make available for play; amending s. 551.116, F.S.; increasing the hours that slot machine gaming areas may be open; amending s. 551.121, F.S.; authorizing automatic teller machines in certain areas of a pari-mutuel facility; excluding check cashing in the designated slot machine gaming areas; allows for progressive games within the facility; amending s. 849.15, F.S.; clarifying the authority to legally ship slot machines into the state under certain circumstances; providing an effective date.

—as amended April 26 was read the third time by title.

MOTION

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

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

Amendment 1 (752378)(with title amendment)—On page 14, between lines 3 and 4, insert:

Section 12. *For fiscal year 2007-2008, three full-time equivalent positions and 125,907 in associated salary rate are authorized, and the sums of \$197,369 in recurring funds and \$44,178 in nonrecurring funds from the Pari-Mutuel Wagering Trust Fund of the Department of Business and Professional Regulation are appropriated to the Office of the State Attorney, 17th Judicial Circuit, for the purpose of investigating and prosecuting offenses associated with gaming operations.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 14, after the semicolon (;) insert: providing an appropriation;

On motions by Senator Jones, **CS for CS for SB's 1038 and 218** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—29		
Mr. President	Fasano	Lynn
Alexander	Garcia	Margolis
Atwater	Geller	Oelrich
Bennett	Haridopolos	Rich
Bullard	Hill	Ring
Crist	Jones	Saunders
Dawson	Joyner	Siplin
Deutch	Justice	Villalobos
Diaz de la Portilla	King	Wilson
Dockery	Lawson	

Nays—9

Baker	Gaetz	Storms
Carlton	Peaden	Webster
Constantine	Posey	Wise

Vote after roll call:

Yea—Aronberg

Yea to Nay—Siplin

CS for SB 1844—A bill to be entitled An act relating to homeowners’ associations; creating s. 720.3085, F.S.; providing that a parcel owner is liable for all assessments on a parcel; providing for the payment of interest and late fees on unpaid assessments; prioritizing the application of any payment received; prohibiting the placement of a restriction statement on the payment; providing for the filing of a claim of lien for unpaid assessments; providing for the foreclosure of the lien; providing for notice to the owner; providing for a qualifying offer from the owner; providing an effective date.

—as amended April 26 was read the third time by title.

On motions by Senator Ring, **CS for SB 1844** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38		
Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—1

Margolis

Vote after roll call:

Nay to Yea—Margolis

CS for CS for SB 902—A bill to be entitled An act relating to community associations; creating s. 712.11, F.S.; providing for the revival of certain covenants that have lapsed; amending s. 718.106, F.S.; prohibiting local governments from limiting the access of certain persons to beaches adjacent to or adjoining condominium property; providing an exception; amending s. 718.110, F.S.; revising provisions relating to the amendment of declarations; providing legislative findings and a finding of compelling state interest; providing criteria for consent to an amendment; requiring notice regarding proposed amendments to mortgagees; providing criteria for notification; providing for voiding certain amendments; amending s. 718.114, F.S.; providing that certain leaseholds,

memberships, or other possessory or use interests shall be considered a material alteration or substantial addition to certain real property; amending s. 718.404, F.S.; providing retroactive application of provisions relating to mixed-use condominiums; amending s. 719.103, F.S.; providing a definition; amending s. 719.507, F.S.; prohibiting laws, ordinances, or regulations that apply only to improvements that are or may be subjected to an equity club form of ownership; amending s. 720.302, F.S.; revising governing provisions relating to corporations that operate residential homeowners' associations; amending s. 720.303, F.S.; revising application to include certain meetings; requiring the association to provide certain information to prospective purchasers or lienholders; authorizing the association to charge a reasonable fee for providing certain information; requiring the budget to provide for annual operating expenses; authorizing the budget to include reserve accounts for capital expenditures and deferred maintenance; providing a formula for calculating the amount to be reserved; authorizing the association to adjust replacement reserve assessments annually; authorizing the developer to vote to waive the reserves or reduce the funding of reserves for a certain period; revising provisions relating to financial reporting; revising time periods in which the association must complete its reporting; repealing s. 720.303(2), F.S., as amended, relating to board meetings, to remove conflicting versions of that subsection; creating s. 720.3035, F.S.; providing for architectural control covenants and parcel owner improvements; authorizing the review and approval of plans and specifications; providing limitations; providing rights and privileges for parcel owners as set forth in the declaration of covenants; amending s. 720.305, F.S.; providing that, where a member is entitled to collect attorney's fees against the association, the member may also recover additional amounts as determined by the court; amending s. 720.306, F.S.; providing that certain mergers or consolidations of an association shall not be considered a material or adverse alteration of the proportionate voting interest appurtenant to a parcel; amending s. 720.307, F.S.; requiring developers to deliver financial records to the board in any transition of association control to members; requiring certain information to be included in the records and for the records to be prepared in a specified manner; amending s. 720.308, F.S.; providing circumstances under which a guarantee of common expenses shall be effective; providing for approval of the guarantee by association members; providing for a guarantee period and extension thereof; requiring the stated dollar amount of the guarantee to be an exact dollar amount for each parcel identified in the declaration; providing payments required from the guarantor to be determined in a certain manner; providing a formula to determine the guarantor's total financial obligation to the association; providing that certain expenses incurred in the production of certain revenues shall not be included in the operating expenses; amending s. 720.311, F.S.; revising provisions relating to dispute resolution; providing that the filing of any petition for arbitration or the serving of an offer for presuit mediation shall toll the applicable statute of limitations; providing that certain disputes between an association and a parcel owner shall be subject to presuit mediation; revising provisions to conform; providing that temporary injunctive relief may be sought in certain disputes subject to presuit mediation; authorizing the court to refer the parties to mediation under certain circumstances; requiring the aggrieved party to serve on the responding party a written offer to participate in presuit mediation; providing a form for such offer; providing that service of the offer is effected by the sending of such an offer in a certain manner; providing that the prevailing party in any subsequent arbitration or litigation proceedings is entitled to seek recovery of all costs and attorney's fees incurred in the presuit mediation process; requiring the mediator or arbitrator to meet certain certification requirements; removing a requirement relating to development of an education program to increase awareness of the operation of homeowners' associations and the use of alternative dispute resolution techniques; providing effective dates.

—was read the third time by title.

On motions by Senator Jones, **CS for CS for SB 902** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Bullard	Diaz de la Portilla
Aronberg	Carlton	Dockery
Atwater	Constantine	Fasano
Baker	Crist	Gaetz
Bennett	Deutch	Garcia

Geller	Lawson	Saunders
Haridopolos	Lynn	Storms
Hill	Margolis	Villalobos
Jones	Oelrich	Webster
Joyner	Posey	Wilson
Justice	Rich	Wise
King	Ring	

Nays—1

Peaden

Vote after roll call:

- Yea—Alexander, Siplin
- Yea to Nay—Webster
- Nay to Yea—Peaden

SB 134—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; providing for cardrooms to conduct games of dominoes; revising definitions; defining the term “dominoes”; providing an effective date.

—was read the third time by title.

On motions by Senator Bullard, **SB 134** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—31

Mr. President	Fasano	Margolis
Alexander	Garcia	Oelrich
Aronberg	Geller	Posey
Atwater	Haridopolos	Rich
Bennett	Hill	Ring
Bullard	Jones	Saunders
Crist	Joyner	Siplin
Dawson	Justice	Villalobos
Deutch	King	Wilson
Diaz de la Portilla	Lawson	
Dockery	Lynn	

Nays—8

Baker	Gaetz	Webster
Carlton	Peaden	Wise
Constantine	Storms	

Vote after roll call:

- Yea to Nay—Siplin

CS for CS for CS for SB 752 and CS for SB 1192—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; defining the term “tournament”; clarifying that provisions authorizing cardrooms do not authorize video poker or certain other games or machines; revising license fees; revising hours of operation; authorizing the award of certain prizes; revising betting limits; authorizing tournaments; providing tournament requirements; providing an appropriation and authorizing additional positions; providing an effective date.

—as amended April 26 was read the third time by title.

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

Amendment 1 (132602)(with directory and title amendments)—On page 1, line 27 through page 2, line 31, delete those lines

And the directory clause is amended as follows:

On page 1, lines 18 and 19, delete subsections (3) and (4)

And the title is amended as follows:

On page 1, lines 4-6, delete those lines and insert: revising

On motions by Senator Geller, **CS for CS for CS for SB 752 and CS for SB 1192** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—29

Mr. President	Dockery	Lynn
Alexander	Fasano	Margolis
Aronberg	Geller	Posey
Atwater	Haridopolos	Rich
Bennett	Hill	Ring
Bullard	Jones	Saunders
Crist	Joyner	Siplin
Dawson	Justice	Villalobos
Deutch	King	Wilson
Diaz de la Portilla	Lawson	

Nays—10

Baker	Garcia	Storms
Carlton	Oelrich	Webster
Constantine	Peaden	Wise
Gaetz		

Vote after roll call:

Yea to Nay—Siplin

SB 1562—A bill to be entitled An act relating to operation of all-terrain vehicles; amending s. 316.2123, F.S.; authorizing a local government to limit the use of all-terrain vehicles to designated unpaved roadways under certain conditions; providing an effective date.

—was read the third time by title.

On motions by Senator Saunders, **SB 1562** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 707—A bill to be entitled An act relating to lights on motor vehicles; amending s. 316.2397, F.S.; revising provisions restricting the use of certain colored lights; providing for lights on vehicles owned or leased by private security agencies; removing reference to watch, guard, and patrol agencies licensed under specified provisions; providing an effective date.

—was read the third time by title.

On motions by Senator Baker, **CS for HB 707** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Baker	Constantine
Alexander	Bennett	Crist
Aronberg	Bullard	Dawson
Atwater	Carlton	Deutch

Diaz de la Portilla	Joyner	Rich
Dockery	Justice	Ring
Fasano	King	Saunders
Gaetz	Lawson	Siplin
Garcia	Lynn	Storms
Geller	Margolis	Villalobos
Haridopolos	Oelrich	Webster
Hill	Peaden	Wilson
Jones	Posey	Wise

Nays—None

CS for CS for SB 612—A bill to be entitled An act relating to wrecker services; creating chapter 508, F.S.; providing for regulatory oversight of wrecker services by the Department of Agriculture and Consumer Services; creating s. 508.101, F.S.; providing definitions; creating s. 508.102, F.S.; creating the Wrecker Operator Advisory Council within the Department of Agriculture and Consumer Services; directing the council to prepare recommendations relating to education and training and present the recommendations to the Legislature and the Commissioner of Agriculture; providing for membership, terms, and organization; providing for meeting procedures and recordkeeping; providing for reimbursement for travel and per diem expenses; directing the department to provide support services for the council; directing the council to review rules adopted by the department and to advise the department on certain matters relating to the wrecker industry; creating s. 508.103, F.S.; authorizing the department to adopt rules; creating s. 508.105, F.S.; requiring wrecker companies to register annually with the department; providing for the registration application; providing for processing of fingerprints by the Department of Law Enforcement; requiring fees for processing; providing for issuance of registration certificate; requiring display of the certificate; providing requirements for advertisements; requiring notification of changes in registration information; requiring certain fees to be paid; requiring certain companies to obtain a local business tax receipt prior to registration renewal; requiring insurance coverage; requiring the department to notify the Department of Highway Safety and Motor Vehicles when a registration has been suspended or revoked; creating s. 508.106, F.S.; authorizing the Department of Agriculture and Consumer Services to deny, revoke, or refuse to renew the registration of a wrecker company under certain circumstances; creating s. 508.1061, F.S.; requiring a wrecker company to accept certain forms of payment; creating s. 508.107, F.S.; prohibiting certain acts; creating ss. 508.108 and 508.109, F.S.; providing administrative and civil penalties; creating s. 508.110, F.S.; providing for registration and renewal fees; creating s. 508.111, F.S.; providing for deposit and use of fees, penalties, and other funds; creating s. 508.112, F.S.; providing that the chapter does not apply to recovery agents; creating s. 508.113, F.S.; authorizing counties and municipalities to enact ordinances governing wrecker operators; providing for the department to enter into a cooperative agreement with a county or municipality for the referral, investigation, and prosecution of consumer complaints or enforcement of specified wrecker services provisions; creating s. 508.114, F.S.; requiring that a wrecker company maintain records of its services; creating s. 508.104, F.S.; prohibiting a person from owning, operating, or otherwise engaging in the business of a wrecker company without first registering with the department; requiring registration prior to issuance or renewal of local business tax receipt; excluding certain motor vehicle repair shops and dealers; creating s. 508.116, F.S.; providing criminal penalties; amending s. 120.80, F.S.; providing for appointment of a hearing officer by the director of the Division of the Florida Highway Patrol when a hearing is held to deny, suspend, or remove a wrecker company from participating in the wrecker allocation system; creating s. 205.1977, F.S.; prohibiting a county or municipality from issuing or renewing a business tax receipt for a wrecker company that is not registered with the Department of Agriculture and Consumer Services; amending s. 316.530, F.S., relating to towing requirements; conforming terminology; amending s. 320.01, F.S.; redefining the term “wrecker” for purposes of the Florida Statutes; amending s. 320.03, F.S., relating to withholding the motor vehicle registration plate or revalidation sticker; providing for application of provisions to wrecker companies rather than wrecker operators; amending s. 320.0706, F.S.; requiring a wrecker to display the registration license plate only on its front; amending s. 320.0821, F.S.; revising requirements for the issuance of wrecker license plates; requiring the license plate to be displayed on the front of the wrecker; amending s. 320.13, F.S., relating to dealer license plates; conforming terminology;

reenacting ss. 316.550(4)(a) and (9) and 320.08(5)(d) and (e), F.S., relating to special wrecker permits and license taxes, to incorporate the amendment to s. 320.01, F.S., in references thereto; amending s. 321.051, F.S.; revising provisions for the Florida Highway Patrol wrecker operator system; changing the designation to “wrecker allocation system”; providing definitions; revising provisions that authorize the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles to establish the system; revising requirements for the system; limiting the system to using certain registered wrecker companies; revising wrecker eligibility requirements; revising provisions for procedures for appeal of final orders by the department denying, suspending, or revoking eligibility to participate; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle prior to towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 323.001, F.S.; revising procedures for placement of a hold on a vehicle at a storage facility; providing for placement of a hold by a law enforcement agency; providing definitions; revising provisions for payment of towing and storage charges; revising rate limitation provisions; amending s. 323.002, F.S.; revising provisions for county and municipal wrecker operator systems; changing the designation to “wrecker allocation systems”; providing definitions; limiting the systems to using certain registered wrecker companies; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle prior to towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 713.78, F.S.; providing for claim of lien by a wrecker company for recovering, removing, or storing a vehicle or vessel; conforming provisions to changes made by the act; providing definitions; requiring notification to the vehicle or vessel owners, insurers, and lienholders; providing for a law enforcement agency to obtain information from the Department of Highway Safety and Motor Vehicles and provide the information to the wrecker company; providing notice procedures; providing for content of the notice; providing for notice to the agency of jurisdiction if the vehicle or vessel owner or lienholder cannot be identified; revising procedures for complaint by the vehicle or vessel owner; providing for release of the vehicle or vessel; requiring damages, attorney’s fees, and costs to be awarded by the court; requiring immediate payment of recovery, towing, and storage fees to be ordered by the court; providing for notice and sale of the vehicle or vessel by the wrecker company; providing for distribution of proceeds; providing for discharge of liens and issuance of certificate of title; providing immunity from liability for a wrecker company, its operators, and other employees or agents under certain conditions; providing for a presumption of the use of reasonable care; requiring wrecker company information to be printed on the wrecker; specifying that failure to make good faith, best efforts to comply with notice requirements precludes imposition of storage charges; requiring a wrecker company to provide access to the vehicle or vessel; requiring release of the vehicle, vessel, or personal property to the owner or agent of the owner; requiring the wrecker company to obtain a certificate of destruction in lieu of a certificate of title when the vehicle or vessel is to be dismantled, destroyed, or changed in such a manner that it is not the motor vehicle or vessel described in the certificate of title; providing for issuance of the certificate of destruction by the county tax collector; providing requirements for application for the certificate of destruction; providing for reassignment of the certificate of destruction; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; providing penalties for specified violations; authorizing the Department of Highway Safety and Motor Vehicles to inspect wrecker company records; directing the Department of Highway Safety and Motor Vehicles, upon notice of lien from a wrecker company, to place the name of the owner of the vehicle or vessel on the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for forms for the notice of lien; providing for dispute by the owner; providing for the owner’s name to be removed from the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for lien expiration; requiring a certificate of discharge to be issued by the wrecker company; providing for certain fees and charges; providing for application and exceptions; clarifying that the amendments made by the act do not affect the validity

of prior liens; amending s. 715.07, F.S., revising provisions for the towing and storage of vehicles and vessels parked on real property without permission; providing definitions; providing requirements for storage facility operation; providing requirements for a wrecker company, its operators, and other employees or agents; prohibiting a wrecker company, a wrecker operator, or another employee or agent of a wrecker company from paying or accepting payment for the privilege of removing vehicles or vessels from a particular location; revising requirements for tow-away signs to be posted by property owners; requiring a wrecker company to maintain rate schedules with the local law enforcement agency and to post rates and contracts at its storage facility; revising requirements for certain signage on a wrecker; providing immunity from liability for a wrecker company, its operators, and other employees or agents if entry into the vehicle or vessel is performed with reasonable care; revising provisions for release of the vehicle or vessel; providing that failure to comply with notice requirements precludes a wrecker company from imposing certain towing or storage charges; providing penalties; repealing s. 1.01(15), F.S., relating to the definition of the term “wrecker operator”; providing an appropriation and authorizing additional positions; providing effective dates.

—was read the third time by title.

On motions by Senator Crist, **CS for CS for SB 612** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Dockery	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	King	Webster
Dawson	Lawson	Wilson
Deutch	Lynn	Wise
Diaz de la Portilla	Margolis	

Nays—4

Baker	Justice	Posey
Fasano		

CS for SB 314—A bill to be entitled An act relating to condominiums; amending s. 718.117, F.S.; substantially revising provisions relating to the termination of the condominium form of ownership of a property; providing legislative findings; providing grounds for termination; providing powers and duties of the board of administration of the association; waiving certain notice requirements following natural disasters; providing requirements for a plan of termination; providing for the allocation of proceeds from the sale of condominium property; providing powers and duties of a termination trustee; providing notice requirements; providing a procedure for contesting a plan of termination; providing for award or recovery of attorney’s fees and costs; providing rules for the distribution of property and sale proceeds; providing for the association’s status following termination; allowing the creation of another condominium by the trustee; specifying an exclusion; providing an effective date.

—was read the third time by title.

On motions by Senator Geller, **CS for SB 314** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Bullard	Diaz de la Portilla
Alexander	Carlton	Dockery
Aronberg	Constantine	Fasano
Atwater	Crist	Gaetz
Baker	Dawson	Garcia
Bennett	Deutch	Geller

Haridopolos	Margolis	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Posey	Wilson
Justice	Ring	Wise
King	Saunders	
Lawson	Siplin	

Nays—None

Vote after roll call:

Yea—Rich

On motion by Senator King, by two-thirds vote **HB 9** was withdrawn from the Committees on Transportation; and Criminal Justice.

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

HB 9—A bill to be entitled An act relating to trespass; amending s. 810.011, F.S.; providing that property that is owned or leased by a railroad or railway company does not have to satisfy the definition of “posted land” in order to obtain the benefits of ss. 810.09 and 810.12, F.S., in certain circumstances; reenacting s. 810.09(1)(a), F.S., relating to trespass on property other than structure or conveyance, for the purpose of incorporating the amendment to s. 810.011, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **SB 320** and read the second time by title. On motions by Senator King, by two-thirds vote **HB 9** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—20

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Atwater	Haridopolos	Posey
Baker	Jones	Saunders
Bennett	King	Webster
Constantine	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—19

Aronberg	Garcia	Ring
Bullard	Geller	Siplin
Carlton	Hill	Storms
Crist	Joyner	Villalobos
Dawson	Justice	Wilson
Deutch	Margolis	
Dockery	Rich	

On motion by Senator Baker, by two-thirds vote **CS for HB 815** was withdrawn from the Committees on Transportation; and Commerce.

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

CS for HB 815—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.64, F.S.; revising provisions for grounds for denial, suspension, or revocation of license of a motor vehicle manufacturer, factory branch, distributor, or importer licensed by the Department of Highway Safety and Motor Vehicles to enter into franchise agreements with dealers; prohibiting certain charge-backs of warranty service payments made to a dealer unless certain procedures are followed; revising such procedures; prohibiting an applicant or licensee from refusing to allow, limiting, or restricting a motor vehicle dealer’s acquisition or addition of operations for another line-make of motor vehicles without demonstrating that the action is justified based on consideration of certain requirements; amending s. 320.641, F.S.; revising procedures for a determination that a discontinuation, cancellation, or nonrenewal of a franchise agreement by the applicant or licensee is unfair; requiring that a new dealer be given 180 days to correct alleged sales or service performance failure; providing an effective date.

—a companion measure, was substituted for **CS for SB 1722** and read the second time by title. On motions by Senator Baker, by two-thirds vote **CS for HB 815** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

On motion by Senator Bennett, by two-thirds vote **CS for HB 1185** was withdrawn from the Committees on Regulated Industries; and Criminal Justice.

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

CS for HB 1185—A bill to be entitled An act relating to trespass; amending s. 810.011, F.S.; defining the term “construction site” for specified purposes; amending s. 810.09, F.S.; revising requirements for posting on a construction site; revising the definition of the terms “authorized person” or “person authorized” for specified purposes; providing an effective date.

—a companion measure, was substituted for **CS for SB 2180** as amended and read the second time by title. On motions by Senator Bennett, by two-thirds vote **CS for HB 1185** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for CS for SB 920—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and revising definitions; redefining “cosmetology” to include hair technician, esthetician, and nail technician services; including body wrapping within esthetician services; removing a distinction between specialty salons and other salons; defining the terms “cosmetology intern” and “internship sponsor”; creating s. 477.0131, F.S.; authorizing licensure for hair technicians, estheticians, nail technicians, and cosmetologists; amending s. 477.0132, F.S.; eliminating future body wrapping registrations; authorizing renewal of current body wrapping registrations; specifying that only the Board of Cosmetology may review, evaluate, and approve required text; amending s. 477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of

current specialty registrations; amending s. 477.019, F.S.; revising qualification, education, licensure and renewal, supervised practice, and endorsement requirements for cosmetologist licenses to include and differentiate qualification, education, licensure and renewal, supervised practice, and endorsement requirements for hair technician, esthetician, and nail technician licenses; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing grooming and salon services certification; creating s. 477.0231, F.S.; providing for the selection and placement of cosmetology interns; requiring a school program to provide written notice to the board regarding the internship sponsor and the cosmetology intern; providing requirements and duties of the internship sponsor; requiring a cosmetology salon to post notice regarding services of a student intern; requiring a cosmetology intern to possess written authorization to practice cosmetology; requiring the board to establish education prerequisites for cosmetology internships; authorizing the board to terminate an internship of a cosmetology intern or the sponsorship of an internship sponsor; requiring the board to give notice of termination; amending s. 477.025, F.S., relating to cosmetology and specialty salons, to conform; amending s. 477.026, F.S.; revising fee provisions to conform; amending s. 477.0263, F.S., to conform; specifying circumstances under which cosmetology or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties, to conform; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; providing an appropriation; providing effective dates.

—was read the third time by title.

On motions by Senator Wise, **CS for CS for SB 920** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—1

Baker

On motion by Senator Haridopolos, by two-thirds vote **HB 7205** was withdrawn from the Committees on Transportation; Commerce; and Transportation and Economic Development Appropriations.

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

HB 7205—A bill to be entitled An act relating to recreational vehicle manufacturers, distributors, dealers, and importers; creating s. 320.3201, F.S.; providing legislative intent; creating s. 320.3202, F.S.; providing definitions; creating s. 320.3203, F.S.; providing requirements for a manufacturer/dealer agreement; requiring designation of the area of sales responsibility; providing conditions for sales outside the dealer's area of sales responsibility; creating s. 320.3205, F.S.; providing requirements and procedures for termination, cancellation, or nonrenewal of a manufacturer/dealer agreement by a manufacturer or a dealer; providing for the repurchase by the manufacturer of vehicles, accessories, parts and equipment, tools, signage, and machinery; requiring notification of a manufacturer when a dealer takes on an additional line-make; creating s. 320.3206, F.S.; providing for change in ownership by a dealer;

requiring notice to the manufacturer; providing requirements for objection by the manufacturer; providing for a dealer to name a family member as a successor in case of retirement, incapacitation, or death of the dealer; providing requirements for objection to the successor by the manufacturer; creating s. 320.3207, F.S.; providing requirements for warrantors, manufacturers, and dealers with respect to warranty obligations; providing requirements for compensation of the dealer; authorizing warranty audits by the warrantor; requiring cause for denial of compensation; providing for disposition of warranty claims; prohibiting certain acts by the warrantor and the dealer; requiring notice of certain pending suits; creating s. 320.3208, F.S.; providing for inspection and rejection of a recreational vehicle upon delivery to a dealer; creating s. 320.3209, F.S.; prohibiting a manufacturer or distributor from coercing a dealer to perform certain acts; creating s. 320.3210, F.S.; providing for resolution when a dealer, manufacturer, distributor, or warrantor is injured by another party's violation; authorizing civil action; providing for mediation; providing for remedies; creating s. 320.3211, F.S.; providing administrative and criminal penalties for violations; providing for an administrative hearing to contest a penalty imposed by the department; amending s. 320.8225, F.S.; providing licensure requirements for distributors and importers; providing for severability; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 2488** and read the second time by title. On motions by Senator Haridopolos, by two-thirds vote **HB 7205** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

Consideration of **CS for CS for HB 529**, **CS for CS for CS for SB 1980** and **CS for CS for SB 1982** was deferred.

CS for CS for SB 2836—A bill to be entitled An act relating to the Florida Building Commission; requiring the commission to review the requirements in the National Electrical Code which relate to bonding and grounding systems for swimming pools; authorizing the commission to adopt a rule for bonding and grounding which is an alternative to that of the National Electrical Code; providing legislative intent relating to retrofitting buildings to prevent hurricane and storm damage; directing the commission to consider the costs and benefits of any mitigation techniques before adoption of a rule; requiring the commission to develop and adopt within the Florida Building Code appropriate mitigation techniques to use to retrofit buildings constructed before the code was implemented; requiring the commission to make certain determinations before eliminating gravel and stone roofing systems; amending s. 468.609, F.S.; increasing the number of days a newly employed person can be a plan examiner or building inspector without certification; amending s. 553.73, F.S.; authorizing the commission to approve certain amendments to the code; amending s. 553.775, F.S.; providing that, upon written application by substantially affected persons, the Florida Building Commission must issue, or cause to be issued, a formal interpretation of the code; amending s. 553.791, F.S.; defining terms; requiring that certain forms be signed at the completion of a required inspection; requiring that a deficiency notice be posted at the job site whenever an element is found to be not in conformance with the building code or the permitting documents; providing for corrective actions; prohibiting the charging of certain fees; amending s. 553.841, F.S.; providing legislative

intent regarding education and outreach for understanding the Florida Building Code; requiring the Department of Community Affairs to administer a compliance and mitigation program; requiring that the compliance and mitigation program be provided by a private, nonprofit corporation under contract with the department; requiring the department to consider certain criteria when selecting the corporation; requiring the commission to provide certain courses to accredit persons subject to the building code; authorizing the commission to adopt rules; amending s. 553.842, F.S.; providing for certification of products; authorizing the commission to impose penalties for violation of the product validation process; amending s. 633.081, F.S.; deleting the requirement that a certified firesafety inspector be a resident of Florida; requiring that a firesafety inspector be 18 years of age or older; establishing grounds under which an inspector's license may be suspended or revoked; amending s. 633.521, F.S.; providing for provisional permits for inspectors of certain fire protection systems; providing a time limitation for such permits; amending s. 633.537, F.S.; revising continuing education requirements; requiring the commission to review certain modifications recommended by the commission's technical advisory committee; authorizing the commission to adopt or modify the modifications in response to public comments; contingent upon appropriations, directing the commission to conduct a study to evaluate certain specified activities related to mitigation of property loss; requiring the commission to deliver a report to the Governor and others by a specified date; providing for the content of the report; authorizing the commission to adopt provisions preserving the use of gravel roof systems; directing the commission to work with others to review the Florida Energy Code and to compare that code to other energy efficiency codes; requiring the commission to deliver a report to the Legislature by a specified date; providing appropriations; providing an effective date.

—as amended April 26 was read the third time by title.

Senator Posey moved the following amendment:

Amendment 1 (864068)(with title amendment)—On page 4, line 17 through page 6, line 2, delete those lines and insert:

Section 2. Section 553.844, Florida Statutes, is created to read:

553.844 Windstorm loss mitigation; requirements for roofs and opening protection.—

(1) *The Legislature finds that:*

(a) *The effects of recent hurricanes on the state have demonstrated the effectiveness of the Florida Building Code in reducing property damage to buildings constructed in accordance with its requirements, and have also exposed a vulnerability of some construction undertaken prior to implementation of the Florida Building Code.*

(b) *Hurricanes represent a continuing threat to the health, safety, and welfare of the residents of this state due to the direct destructive effects of hurricanes as well as their effects on windstorm insurance rates.*

(c) *The mitigation of property damage constitutes a valid and recognized objective of the Florida Building Code.*

(d) *Cost-effective techniques for integrating proven methods of the Florida Building Code into buildings built prior to its implementation benefit all residents of the state as a whole.*

(2) *The Florida Building Commission shall:*

(a) *Analyze the extent to which a proposed Florida Building Code provision will mitigate property damage to buildings and their contents in evaluating that proposal. If the nature of the proposed Florida Building Code provision relates only to mitigation of property damage and not to a life safety concern, the proposal shall be reviewed based on its measurable benefits in relation to the costs imposed.*

(b) *Develop and adopt within the Florida Building Code a means to incorporate recognized mitigation techniques for buildings constructed prior to the implementation of the Florida Building Code, including, but not limited to:*

1. *Prescriptive techniques for the installation of gable-end bracing;*

2. *Secondary water barriers for roofs and standards relating to secondary water barriers. The criteria may include, but need not be limited to, roof shape, slope, and composition of all elements of the roof system;*

3. *Prescriptive techniques for improvement of roof-to-wall connections. The Legislature recognizes that the cost of retrofitting existing buildings to meet the code requirements for new construction in this regard may exceed the practical benefit to be attained. The Legislature intends for the commission to provide for the integration of alternate, lower-cost means that may be employed to retrofit existing buildings that are not otherwise required to comply with the requirements of the Florida Building Code for new construction so that the cost of such improvements does not exceed approximately 15 percent of the cost of reroofing;*

4. *Strengthening or correcting roof-decking attachments and fasteners during reroofing; and*

5. *Adding or strengthening opening protections.*

(3) *The Legislature finds that the integration of these specifically identified mitigation measures is critical to addressing the serious problem facing the state from damage caused by windstorms and that delay in the adoption and implementation constitutes a threat to the health, safety, and welfare of the state. Accordingly, the Florida Building Commission shall develop and adopt these measures by October 1, 2007, by rule separate from the Florida Building Code, which take immediate effect and shall incorporate such requirements into the next edition of the Florida Building Code. Such rules shall require or otherwise clarify that:*

(a) *A roof replacement must incorporate the techniques specified in subparagraphs (2)(b)2. and 4.*

(b) *For a building that is located in the wind-borne debris region as defined in s. 1609.2 of the International Building Code (2006) and that has a just valuation for purposes of ad valorem taxation of \$300,000 or more:*

1. *A roof replacement must incorporate the techniques specified in subparagraph (2)(b)3.*

2. *Any activity that requires a building permit that is applied for after January 1, 2008, must include provision of opening protection as required within the Florida Building Code for new construction of the building for buildings subject to the building permit.*

And the title is amended as follows:

On page 1, lines 9-18, delete those lines and insert: National Electric Code; creating s. 553.844, F.S.; providing legislative findings concerning the need to prevent property damage caused by hurricanes; requiring the Florida Building Commission to adopt amendments to the Florida Building Code, including requirements for buildings constructed before the implementation of the code; providing requirements for such amendments; providing requirements for buildings located in a wind-borne debris region; requiring the commission

On motion by Senator Constantine, further consideration of **CS for CS for SB 2836** with pending **Amendment 1 (864068)** was deferred.

Consideration of **CS for CS for SB 1198** and **CS for CS for SB 1200** was deferred.

HB 7167—A bill to be entitled An act relating to municipal incorporation; prohibiting counties from requiring certain municipalities to pay charges, assessments, taxes, fees, or other considerations for certain residents' actions; providing that the provisions of the act are not preempted; providing an effective date.

—was read the third time by title.

On motions by Senator Diaz de la Portilla, **HB 7167** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Bennett	Crist
Alexander	Bullard	Dawson
Atwater	Carlton	Deutch
Baker	Constantine	Dockery

Fasano	Justice	Saunders
Gaetz	King	Siplin
Garcia	Lawson	Storms
Geller	Lynn	Villalobos
Haridopolos	Oelrich	Webster
Hill	Peaden	Wilson
Jones	Posey	Wise
Joyner	Ring	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Rich

Consideration of **CS for SB 732** was deferred.

CS for SB 2036—A bill to be entitled An act relating to inmate death notification; amending s. 944.09, F.S.; requiring the Department of Corrections to adopt procedures for providing notice of the death of an inmate in the state correctional system; prescribing written information to be provided to the person designated by the inmate to receive notice of the inmate's death; providing an effective date.

—was read the third time by title.

On motions by Senator Lawson, **CS for SB 2036** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for CS for SB 624—A bill to be entitled An act relating to premarital agreements; creating s. 61.079, F.S.; providing a short title; defining the terms “premarital agreements” and “property”; requiring that a premarital agreement be in writing and signed by both parties; providing that the agreement is enforceable without consideration; authorizing the parties to a premarital agreement to contract with respect to certain specified issues; providing that an agreement becomes effective upon marriage; providing for amendments to, revocation, and abandonment of an agreement; providing for enforcement of an agreement; providing for application of the act; providing for severability; providing an effective date.

—was read the third time by title.

On motions by Senator Aronberg, **CS for CS for SB 624** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Bullard	Deutch
Alexander	Carlton	Diaz de la Portilla
Aronberg	Constantine	Dockery
Atwater	Crist	Fasano
Bennett	Dawson	Gaetz

Garcia	Lynn	Siplin
Geller	Margolis	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Posey	Wilson
Justice	Rich	Wise
King	Ring	
Lawson	Saunders	

Nays—None

Vote after roll call:

Yea—Baker, Haridopolos

SJR 166—A joint resolution proposing an amendment to Section 2 of Article I of the State Constitution, relating to basic rights.

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

That the following amendment to Section 2 of Article I of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE I
DECLARATION OF RIGHTS

SECTION 2. Basic rights.—All natural persons, female and male alike, are equal before the law and have inalienable rights, among which are the right to enjoy and defend life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess and protect property; ~~except that the ownership, inheritance, disposition and possession of real property by aliens ineligible for citizenship may be regulated or prohibited by law.~~ No person shall be deprived of any right because of race, religion, national origin, or physical disability.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT
ARTICLE I, SECTION 2

DECLARATION OF RIGHTS.—Proposing an amendment to the State Constitution to delete provisions authorizing the Legislature to regulate or prohibit the ownership, inheritance, disposition, and possession of real property by aliens ineligible for citizenship.

—was read the third time in full.

On motions by Senator Geller, **SJR 166** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Constantine, by two-thirds vote **CS for HB 537** was withdrawn from the Committees on Ethics and Elections; Judiciary; and Transportation and Economic Development Appropriations.

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

CS for HB 537—A bill to be entitled An act relating to the presidential preference primary; amending s. 103.101, F.S.; revising the dates relating to the presidential preference primary; amending s. 101.75, F.S.; authorizing municipalities to modify municipal election dates by ordinance to coincide with the presidential preference primary date; prescribing requirements for candidate qualifying, to conform; providing for terms of office of municipal officials; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB's 960 and 1010** as amended and read the second time by title.

Senator Constantine moved the following amendment:

Amendment 1 (941466)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (36) of section 97.021, Florida Statutes, is amended to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(36) “Third-party registration organization” means any person, entity, or organization soliciting or collecting voter registration applications. A third-party voter registration organization does not include:

(a) ~~A political party;~~

(a)(b) A person who seeks only to register to vote or collect voter registration applications from that person’s spouse, child, or parent; or

(b)(e) A person engaged in registering to vote or collecting voter registration applications as an employee or agent of the division, supervisor of elections, Department of Highway Safety and Motor Vehicles, or a voter registration agency.

Section 2. Subsection (3) of section 97.0575, Florida Statutes, is amended to read:

97.0575 Third-party voter registrations.—

(3) A third-party voter registration organization that collects voter registration applications serves as a fiduciary to the applicant, ensuring that any voter registration application entrusted to the third-party voter registration organization, irrespective of party affiliation, race, ethnicity, or gender shall be promptly delivered to the division or the supervisor of elections. If a voter registration application collected by any third-party voter registration organization is not promptly delivered to the division or supervisor of elections, the individual collecting the voter registration application, the registered agent, and those individuals responsible for the day-to-day operation of the third-party voter registration organization, including, if applicable, the entity’s board of directors, president, vice president, managing partner, or such other individuals engaged in similar duties or functions, shall be personally and jointly and severally liable for the following fines:

(a) A fine in the amount of \$50 ~~\$250~~ for each application received by the division or the supervisor of elections more than 10 days after the applicant delivered the completed voter registration application to the third-party voter registration organization or any person, entity, or agent acting on its behalf. A fine in the amount of \$250 for each application received if the third-party registration organization or person, entity, or agency acting on its behalf acted willfully.

(b) A fine in the amount of \$100 ~~\$500~~ for each application collected by a third-party voter registration organization or any person, entity, or agent acting on its behalf, prior to book closing for any given election for federal or state office and received by the division or the supervisor of elections after the book closing deadline for such election. A fine in the amount of \$500 for each application received if the third-party registration organization or person, entity, or agency acting on its behalf acted willfully.

(c) A fine in the amount of \$500 ~~\$5,000~~ for each application collected by a third-party voter registration organization or any person, entity, or agent acting on its behalf, which is not submitted to the division or supervisor of elections. A fine in the amount of \$1,000 for any application not submitted if the third-party registration organization or person, entity, or agency acting on its behalf acted willfully.

The aggregate fine pursuant to this subsection which may be assessed against a third-party voter registration organization, including affiliate organizations, for violations committed in a calendar year shall be \$1,000. The fines provided in this subsection shall be reduced by three-fourths in cases in which the third-party voter registration organization has complied with subsection (1). The secretary shall waive the fines described in this subsection upon a showing that the failure to deliver the voter registration application promptly is based upon force majeure or impossibility of performance.

Section 3. Effective July 1, 2007, subsections (1), (2), (3), and (6) of section 103.101, Florida Statutes, are amended to read:

103.101 Presidential preference primary.—

(1) Each political party other than a minor political party shall, on the ~~last second~~ Tuesday in ~~January~~ ~~March~~ in each year the number of which is a multiple of 4, elect one person to be the candidate for nomination of such party for President of the United States or select delegates to the national nominating convention, as provided by party rule.

(2) There shall be a Presidential Candidate Selection Committee composed of the Secretary of State, who shall be a nonvoting chair; the Speaker of the House of Representatives; the President of the Senate; the minority leader of each house of the Legislature; and the chair of each political party required to have a presidential preference primary under this section.

(a) By ~~October~~ ~~December~~ 31 of the year preceding the Florida presidential preference primary, each political party shall submit to the Secretary of State a list of its presidential candidates to be placed on the presidential preference primary ballot or candidates entitled to have delegates appear on the presidential preference primary ballot. The Secretary of State shall prepare and publish a list of the names of the presidential candidates submitted. The Secretary of State shall submit such list of names of presidential candidates to the selection committee on the first Tuesday after the first Monday in ~~November of the January~~ ~~each year preceding the a~~ presidential preference primary election is held. Each person designated as a presidential candidate shall have his or her name appear, or have his or her delegates’ names appear, on the presidential preference primary ballot unless all committee members of the same political party as the candidate agree to delete such candidate’s name from the ballot. The selection committee shall meet in Tallahassee on the first Tuesday after the first Monday in ~~November of the January~~ ~~each year preceding the a~~ presidential preference primary is held. The selection committee shall publicly announce and submit to the Department of State no later than 5 p.m. on the following day the names of presidential candidates who shall have their names appear, or who are entitled to have their delegates’ names appear, on the presidential preference primary ballot. The Department of State shall immediately notify each presidential candidate designated by the committee. Such notification shall be in writing, by registered mail, with return receipt requested.

(b) Any presidential candidate whose name does not appear on the list submitted to the Secretary of State may request that the selection committee place his or her name on the ballot. Such request shall be made in writing to the Secretary of State no later than the second Tuesday after the first Monday in ~~November of the year preceding the presidential preference primary January~~.

(c) If a presidential candidate makes a request that the selection committee reconsider placing the candidate’s name on the ballot, the selection committee will reconvene no later than the second Thursday after the first Monday in ~~November of the year preceding the presidential preference primary January~~ to reconsider placing the candidate’s name on the ballot. The Department of State shall immediately notify such candidate of the selection committee’s decision.

(3) A candidate’s name shall be printed on the presidential preference primary ballot unless the candidate submits to the Department of State, prior to the second Tuesday after the first Monday in ~~November of the year preceding the presidential preference primary January~~, an affidavit stating that he or she is not now, and does not presently intend to become, a candidate for President at the upcoming nominating convention. If a candidate withdraws pursuant to this subsection, the Department of State shall notify the state executive committee that the candidate’s name will not be placed on the ballot. The Department of State shall, no later than the third Tuesday after the first Monday in

November of the year preceding the presidential preference primary ~~January~~, certify to each supervisor of elections the name of each candidate for political party nomination to be printed on the ballot.

(6) Delegates must qualify no later than the second Friday in November of the year preceding the presidential preference primary ~~January~~ in the manner provided by party rule.

Section 4. Effective July 1, 2007, subsection (3) is added to section 101.75, Florida Statutes, to read:

101.75 Municipal elections; change of dates for cause.—

(3) Notwithstanding any provision of local law, for any municipality whose election is scheduled to be held in March 2008, the governing body of the municipality, notwithstanding any municipal charter provision, may, by ordinance, move the date of the general municipal election in 2008 and in each subsequent year that is a multiple of 4 to the date concurrent with the presidential preference primary. The dates for qualifying for the general municipal election moved by the passage of such an ordinance shall be specifically provided for in the ordinance and shall run for no less than 14 days. The term of office for any elected municipal official shall commence as provided by the relevant municipal charter or ordinance, and the term of office for any elected municipal official whose term was due to expire in March 2008 shall expire as provided by the relevant municipal charter or ordinance.

Section 5. Effective July 1, 2008, subsection (1) of section 101.151, Florida Statutes, is amended to read:

101.151 Specifications for ballots.—

(1)(a) Marksense ballots shall be printed on paper of such thickness that the printing cannot be distinguished from the back and shall meet the specifications of the voting system that will be used to tabulate the ballots.

(b) Early voting sites may employ a ballot-on-demand production system to print individual marksense ballots, including provisional ballots, for eligible electors pursuant to s. 101.657. Ballot-on-demand technology may be used to produce marksense absentee ballots. Not later than 30 days before an election, the Secretary of State may also authorize in writing the use of ballot-on-demand technology for the production of election-day ballots.

Section 6. Effective July 1, 2008, section 101.56075, Florida Statutes, is created to read:

101.56075 Voting methods.—

(1) Except as provided in subsection (2), all voting shall be by marksense ballot utilizing a marking device for the purpose of designating ballot selections.

(2) Persons with disabilities may vote on a voter interface device that meets the voting system accessibility requirements for individuals with disabilities pursuant to section 301 of the federal Help America Vote Act of 2002 and s. 101.56062.

(3) By 2012, persons with disabilities shall vote on a voter interface device that meets the voter accessibility requirements for individuals with disabilities under section 301 of the federal Help America Vote Act of 2002 and s. 101.56062, which are consistent with subsection (1) of this section.

Section 7. Effective July 1, 2008, subsection (5) is added to section 101.5612, Florida Statutes, to read:

101.5612 Testing of tabulating equipment.—

(5) Any tests involving marksense ballots pursuant to this section shall employ pre-printed ballots, if pre-printed ballots will be used in the election, and ballot-on-demand ballots, if ballot-on-demand technology will be used to produce ballots in the election, or both.

Section 8. Effective July 1, 2008, section 101.591, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 101.591, F.S., for present text.)

101.591 Voting system audit.—

(1) Immediately following the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit of the voting systems used in randomly selected precincts.

(2) The audit shall consist of a public manual tally of the votes cast in one randomly selected race that appears on the ballot. The tally sheet shall include election-day, absentee, early voting, provisional, and overseas ballots, in at least 1 percent but no more than 2 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. If 1 percent of the precincts is less than one entire precinct, the audit shall be conducted using at least one precinct chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly-noticed canvassing board meeting.

(3) The canvassing board shall post a notice of the audit, including the date, time, and place, in four conspicuous places in the county and on the home page of the county supervisor of elections web site.

(4) The audit must be completed and the results made public no later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board or the local board responsible for certifying the election.

(5) Within 15 days after completion of the audit, the county canvassing board or the board responsible for certifying the election shall provide a report with the results of the audit to the Department of State in a standard format as prescribed by the department. The report shall contain, but is not limited to, the following items:

(a) The overall accuracy of audit.

(b) A description of any problems or discrepancies encountered.

(c) The likely cause of such problems or discrepancies.

(d) Recommended corrective action with respect to avoiding or mitigating such circumstances in future elections.

Section 9. Effective upon this act becoming a law, the Department of State shall adopt rules to implement the provisions of s. 101.591, Florida Statutes, as amended by section 8 which prescribe detailed audit procedures for each voting system, which shall be uniform to the extent practicable, along with the standard form for audit reports.

Section 10. Effective upon this act becoming a law:

(1) Notwithstanding ss. 101.292-101.295 and s. 101.5604, Florida Statutes, as a condition of the state purchasing optical scan voting equipment and ballot-on-demand equipment to replace touchscreen equipment as provided in section 11, each recipient county hereby authorizes the Secretary of State to act as its agent to negotiate the purchase of new equipment and the sale, exchange, or other disposition of existing touchscreen voting equipment that is not necessary to conduct voting for individuals with disabilities. Further, each such county hereby designates the Secretary of State as the authorized recipient of all proceeds realized from the sale, exchange, or other disposition of the voting equipment, after satisfying obligations or indebtedness associated with the voting equipment, up to and including the state's cost to fund the county's new equipment. The secretary shall deposit the proceeds in the Grants and Donations Trust Fund within 60 days after the sale, exchange, or other disposition.

(2) A county commission may choose to opt out of this state funding scheme by filing a notice to that effect with the Department of State no later than June 30, 2007. Any county choosing to opt out shall continue to be governed by the provisions of ss. 101.292-101.295 and s. 101.5604, Florida Statutes, with respect to the purchase of new voting systems and equipment.

Section 11. Effective July 1, 2007:

(1) The Department of State is authorized to purchase:

(a) Election-day optical scan voting equipment, for the following counties: Broward, Charlotte, Collier, Hillsborough, Indian River,

Lake, Lee, Martin, Miami-Dade, Nassau, Palm Beach, Pasco, Pinellas, Sarasota, and Sumter.

(b) Ballot-on-demand equipment for use at early voting sites, including optical scan tabulators, for the following counties: Bay, Brevard, Broward, Charlotte, Clay, Collier, Escambia, Hillsborough, Indian River, Jackson, Lake, Lee, Levy, Marion, Martin, Miami-Dade, Nassau, Okaloosa, Orange, Osceola, Palm Beach, Pasco, Pinellas, Santa Rosa, Sarasota, St. Johns, Sumter, Taylor, and Washington.

(2) The sum of \$27,861,850 is appropriated from the Grants and Donations Trust Fund to the Division of Elections within the Department of State for the purpose of implementing this section.

Section 12. Paragraph (b) of subsection (1) of section 97.041, Florida Statutes, is amended to read:

97.041 Qualifications to register or vote.—

(1)

(b) A person who is otherwise qualified may preregister on or after that person's 17th birthday or receipt of a valid Florida driver's license, whichever occurs earlier, and may vote in any election occurring on or after that person's 18th birthday.

Section 13. Subsections (6) and (7) of section 97.053, Florida Statutes, are amended to read:

97.053 Acceptance of voter registration applications.—

(6) A voter registration application may be accepted as valid only after the department has verified the authenticity or nonexistence of the driver's license number, the Florida identification card number, or the last four digits of the social security number provided by the applicant. If a completed voter registration application has been received by the book-closing deadline but the driver's license number, the Florida identification card number, or the last four digits of the social security number provided by the applicant cannot be verified, the applicant shall be notified that the application is incomplete and that the voter must provide evidence to the supervisor sufficient to verify the authenticity of the number provided on the application. If the voter provides the necessary evidence, the supervisor shall place the voter's name on the registration rolls as an active voter. If the voter has not provided the necessary evidence or the number has not otherwise been verified prior to the applicant presenting himself or herself to vote, the applicant shall be provided a provisional ballot. The provisional ballot shall be counted only if the application is verified by the end of the canvassing period or if the applicant presents evidence to the supervisor of elections sufficient to verify the authenticity of the driver's license number, Florida identification card number, or last four digits of the social security number provided on the application no later than 5 p.m. of the second third day following the election.

(7) All voter registration applications received by a voter registration office shall be entered into the statewide voter registration system within 13 15 days after receipt. Once entered, the application shall be immediately forwarded to the appropriate supervisor of elections.

Section 14. Paragraph (a) of subsection (1) of section 99.021, Florida Statutes, is amended to read:

99.021 Form of candidate oath.—

(1)(a)I. Each candidate, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to any office other than a judicial office as defined in chapter 105 or a federal office, shall take and subscribe to an oath or affirmation in writing. A printed copy of the oath or affirmation shall be furnished to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form:

State of Florida
County of . . .

Before me, an officer authorized to administer oaths, personally appeared (please print name as you wish it to appear on the ballot), to me well known, who, being sworn, says that he or she is a candidate for the office of . . . ; that he or she is a qualified elector of . . . County, Florida; that he or she is qualified under the Constitution and the laws of Florida to

hold the office to which he or she desires to be nominated or elected; that he or she has taken the oath required by ss. 876.05-876.10, Florida Statutes; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; and that he or she has resigned from any office from which he or she is required to resign pursuant to s. 99.012, Florida Statutes.

(Signature of candidate)
(Address)

Sworn to and subscribed before me this . . . day of . . . , (year), at . . . County, Florida.

(Signature and title of officer administering oath)

2. Each candidate for federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to office shall take and subscribe to an oath or affirmation in writing. A printed copy of the oath or affirmation shall be furnished to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form:

State of Florida
County of _____

Before me, an officer authorized to administer oaths, personally appeared (please print name as you wish it to appear on the ballot), to me well known, who, being sworn, says that he or she is a candidate for the office of _____; that he or she is qualified under the Constitution and laws of the United States to hold the office to which he or she desires to be nominated or elected; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; and that he or she has resigned from any office from which he or she is required to resign pursuant to s. 99.012, Florida Statutes.

(Signature of candidate)
(Address)

Sworn to and subscribed before me this ____ day of ____ (year), at ____ County, Florida.

(Signature and title of officer administering oath)

Section 15. Section 99.061, Florida Statutes, is amended to read:

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.—

(1) The provisions of any special act to the contrary notwithstanding, each person seeking to qualify for nomination or election to a federal, state, or multicounty district office, other than election to a judicial office as defined in chapter 105 or the office of school board member, shall file his or her qualification papers with, and pay the qualifying fee, which shall consist of the filing fee and election assessment, and party assessment, if any has been levied, to, the Department of State, or qualify by the petition process pursuant to s. 99.095 with the Department of State, at any time after noon of the 1st day for qualifying, which shall be as follows: the 120th day prior to the primary election, but not later than noon of the 116th day prior to the date of the primary election, for persons seeking to qualify for nomination or election to federal office or to the office of the state attorney or the public defender; and noon of the 71st 50th day prior to the primary election, but not later than noon of the 67th 46th day prior to the date of the primary election, for persons seeking to qualify for nomination or election to a state or multicounty district office, other than the office of the state attorney or the public defender.

(2) The provisions of any special act to the contrary notwithstanding, each person seeking to qualify for nomination or election to a county office, or district or special district office not covered by subsection (1), shall file his or her qualification papers with, and pay the qualifying fee, which shall consist of the filing fee and election assessment, and party assessment, if any has been levied, to, the supervisor of elections of the county, or shall qualify by the petition process pursuant to s. 99.095 with the supervisor of elections, at any time after noon of the 1st day for qualifying, which shall be the 71st 50th day prior to the primary election or special district election, but not later than noon of the 67th 46th day prior to the date of the primary election or special district election. However, if a special district election is held at the same time as the

general election, qualifying shall be the 50th day prior to the primary election, but not later than noon of the 46th day prior to the date of the primary election. Within 30 days after the closing of qualifying time, the supervisor of elections shall remit to the secretary of the state executive committee of the political party to which the candidate belongs the amount of the filing fee, two-thirds of which shall be used to promote the candidacy of candidates for county offices and the candidacy of members of the Legislature.

(3) *Notwithstanding the provisions of any special act to the contrary, each person seeking to qualify for election to a special district office shall qualify between noon of the 71st day prior to the primary election and noon of the 67th day prior to the date of the primary election. Candidates for single county special districts shall qualify with the supervisor of elections in the county in which the district is located. If the district is a multicounty district, candidates shall qualify with the Department of State. All special district candidates shall qualify by paying a filing fee of \$25 or qualify by the petition process pursuant to s. 99.095. Notwithstanding s. 106.021, a candidate who does not collect contributions and whose only expense is the filing fee or signature verification fee is not required to appoint a campaign treasurer or designate a primary campaign depository.*

(4)(3)(a) Each person seeking to qualify for election to office as a write-in candidate shall file his or her qualification papers with the respective qualifying officer at any time after noon of the 1st day for qualifying, but not later than noon of the last day of the qualifying period for the office sought.

(b) Any person who is seeking election as a write-in candidate shall not be required to pay a filing fee, election assessment, or party assessment. A write-in candidate ~~is shall~~ not be entitled to have his or her name printed on any ballot; however, space for the write-in candidate's name to be written in ~~must shall~~ be provided on the general election ballot. A ~~no~~ person may not qualify as a write-in candidate if the person has also otherwise qualified for nomination or election to such office.

(5)(4) At the time of qualifying for office, each candidate for a constitutional office shall file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution, and a candidate for any other office, including local elective office, shall file a statement of financial interests pursuant to s. 112.3145.

(6)(5) The Department of State shall certify to the supervisor of elections, within 7 days after the closing date for qualifying, the names of all duly qualified candidates for nomination or election who have qualified with the Department of State.

~~(6) Notwithstanding the qualifying period prescribed in this section, if a candidate has submitted the necessary petitions by the required deadline in order to qualify by the petition process pursuant to s. 99.095 as a candidate for nomination or election and the candidate is notified after the 5th day prior to the last day for qualifying that the required number of signatures has been obtained, the candidate is entitled to subscribe to the candidate's oath and file the qualifying papers at any time within 5 days from the date the candidate is notified that the necessary number of signatures has been obtained. Any candidate who qualifies within the time prescribed in this subsection is entitled to have his or her name printed on the ballot.~~

(7)(a) In order for a candidate to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

1. A properly executed check drawn upon the candidate's campaign account in an amount not less than the fee required by s. 99.092 or, in lieu thereof, as applicable, the copy of the notice of obtaining ballot position pursuant to s. 99.095. *The filing fee for a special district candidate is not required to be drawn upon the candidate's campaign account.* If a candidate's check is returned by the bank for any reason, the filing officer shall immediately notify the candidate and the candidate shall, the end of qualifying notwithstanding, have 48 hours from the time such notification is received, excluding Saturdays, Sundays, and legal holidays, to pay the fee with a cashier's check purchased from funds of the campaign account. Failure to pay the fee as provided in this subparagraph shall disqualify the candidate.

2. The candidate's oath required by s. 99.021, which must contain the name of the candidate as it is to appear on the ballot; the office

sought, including the district or group number if applicable; and the signature of the candidate, duly acknowledged.

3. The loyalty oath required by s. 876.05, signed by the candidate and duly acknowledged.

4. If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b).

5. The completed form for the appointment of campaign treasurer and designation of campaign depository, as required by s. 106.021.

6. The full and public disclosure or statement of financial interests required by subsection (5) (4). A public officer who has filed the full and public disclosure or statement of financial interests with the Commission on Ethics or the supervisor of elections prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

(b) If the filing officer receives qualifying papers that do not include all items as required by paragraph (a) prior to the last day of qualifying, the filing officer shall make a reasonable effort to notify the candidate of the missing or incomplete items and shall inform the candidate that all required items must be received by the close of qualifying. A candidate's name as it is to appear on the ballot may not be changed after the end of qualifying.

(8) Notwithstanding the qualifying period prescribed in this section, a qualifying office may accept and hold qualifying papers submitted not earlier than 14 days prior to the beginning of the qualifying period, to be processed and filed during the qualifying period.

(9) Notwithstanding the qualifying period prescribed by this section, in each year in which the Legislature apportions the state, the qualifying period for persons seeking to qualify for nomination or election to federal office shall be between noon of the 71st ~~57th~~ day prior to the primary election, but not later than noon of the 67th ~~53rd~~ day prior to the primary election.

(10) The Department of State may prescribe by rule requirements for filing papers to qualify as a candidate under this section.

Section 16. Subsections (2) and (4) of section 99.095, Florida Statutes, are amended to read:

99.095 Petition process in lieu of a qualifying fee and party assessment.—

(2)(a) *Except as provided in paragraph (b), a candidate must shall* obtain the number of signatures of voters in the geographical area represented by the office sought equal to at least 1 percent of the total number of registered voters of that geographical area, as shown by the compilation by the department for the *immediately last* preceding general election. Signatures may not be obtained until the candidate has filed the appointment of campaign treasurer and designation of campaign depository pursuant to s. 106.021.

(b) *A candidate for a special district office shall obtain 25 signatures of voters in the geographical area represented by the office sought.*

~~(c)(b)~~ The format of the petition shall be prescribed by the division and shall be used by candidates to reproduce petitions for circulation. If the candidate is running for an office that requires a group or district designation, the petition must indicate that designation and, if it does not, the signatures are not valid. A separate petition is required for each candidate.

(4)(a) Certifications for candidates for federal, state, ~~or~~ multicounty district, *or multicounty special district* office shall be submitted to the division *no later than the 7th day before the first day of the qualifying period for the office sought.* The division shall determine whether the required number of signatures has been obtained and shall notify the candidate.

(b) For candidates for county, ~~or~~ district, *or special district* office not covered by paragraph (a), the supervisor shall determine whether the required number of signatures has been obtained and shall notify the candidate.

Section 17. Effective upon this act becoming a law, section 99.096, Florida Statutes, is amended to read:

99.096 Minor political party candidates; names on ballot.—

~~(1) No later than noon of the third day prior to the first day of the qualifying period prescribed for federal candidates, the executive committee of a minor political party shall submit to the Department of State a list of federal candidates nominated by the party to be on the general election ballot. No later than noon of the third day prior to the first day of the qualifying period for state candidates, the executive committee of a minor political party shall submit to the filing officer for each of the candidates the official list of the state, multicounty, and county candidates nominated by that party to be on the ballot in the general election. The official list of nominated candidates may not be changed by the party after having been filed with the filing officers, except that vacancies in nominations may be filled pursuant to s. 100.111.~~

(2) Each person seeking to qualify for election as a candidate of a minor political party shall file his or her qualifying papers with, and pay the qualifying fee and, if one has been levied, the party assessment, or qualify by the petition process pursuant to s. 99.095, with the officer and at the times and under the circumstances provided in s. 99.061.

Section 18. *Effective upon this act becoming a law, section 99.0965, Florida Statutes, is repealed.*

Section 19. Paragraph (a) of subsection (2) of section 100.041, Florida Statutes, is amended to read:

100.041 Officers chosen at general election.—

(2)(a) Each county commissioner from an odd-numbered district shall be elected at the general election in each year the number of which is a multiple of 4, for a 4-year term commencing on the second Tuesday following such election, and each county commissioner from an even-numbered district shall be elected at the general election in each even-numbered year the number of which is not a multiple of 4, for a 4-year term commencing on the second Tuesday following such election. A county commissioner is "elected" for purposes of this paragraph on the date that the county canvassing board certifies the results of the election pursuant to s. 102.151.

Section 20. *Effective upon this act becoming a law, section 100.051, Florida Statutes, is amended to read:*

100.051 Candidate's name on general election ballot.—The supervisor of elections of each county shall print on ballots to be used in the county at the next general election the names of candidates who have been nominated by a political party, ~~other than a minor political party,~~ and the candidates who have otherwise obtained a position on the general election ballot in compliance with the requirements of this code.

Section 21. Section 100.061, Florida Statutes, is amended to read:

100.061 Primary election.—In each year in which a general election is held, a primary election for nomination of candidates of political parties shall be held on the Tuesday 109 weeks prior to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. If two or more candidates receive an equal and highest number of votes for the same office, such candidates shall draw lots to determine which candidate is nominated.

Section 22. *Effective upon this act becoming a law, subsection (3) of section 100.111, Florida Statutes, is amended to read:*

100.111 Filling vacancy.—

(3) Whenever there is a vacancy for which a special election is required pursuant to s. 100.101, the Governor, after consultation with the Secretary of State, shall fix the dates of a special primary election and a special election. Nominees of political parties ~~other than minor political parties~~ shall be chosen under the primary laws of this state in the special primary election to become candidates in the special election. Prior to setting the special election dates, the Governor shall consider any upcoming elections in the jurisdiction where the special election will be held. The dates fixed by the Governor shall be specific days certain and shall not be established by the happening of a condition or stated in the alternative. The dates fixed shall provide a minimum of 2 weeks between each election. In the event a vacancy occurs in the office of state senator or member of the House of Representatives when the Legislature is in regular legislative session, the minimum times prescribed by

this subsection may be waived upon concurrence of the Governor, the Speaker of the House of Representatives, and the President of the Senate. If a vacancy occurs in the office of state senator and no session of the Legislature is scheduled to be held prior to the next general election, the Governor may fix the dates for the special primary election and for the special election to coincide with the dates of the primary election and general election. If a vacancy in office occurs in any district in the state Senate or House of Representatives or in any congressional district, and no session of the Legislature, or session of Congress if the vacancy is in a congressional district, is scheduled to be held during the unexpired portion of the term, the Governor is not required to call a special election to fill such vacancy.

(a) The dates for candidates to qualify in such special election or special primary election shall be fixed by the Department of State, and candidates shall qualify not later than noon of the last day so fixed. The dates fixed for qualifying shall allow a minimum of 14 days between the last day of qualifying and the special primary election.

(b) The filing of campaign expense statements by candidates in such special elections or special primaries and by committees making contributions or expenditures to influence the results of such special primaries or special elections shall be not later than such dates as shall be fixed by the Department of State, and in fixing such dates the Department of State shall take into consideration and be governed by the practical time limitations.

(c) The dates for a candidate to qualify by the petition process pursuant to s. 99.095 in such special primary or special election shall be fixed by the Department of State. In fixing such dates the Department of State shall take into consideration and be governed by the practical time limitations. Any candidate seeking to qualify by the petition process in a special primary election shall obtain 25 percent of the signatures required by s. 99.095.

(d) The qualifying fees and party assessments of such candidates as may qualify shall be the same as collected for the same office at the last previous primary for that office. The party assessment shall be paid to the appropriate executive committee of the political party to which the candidate belongs.

(e) Each county canvassing board shall make as speedy a return of the result of such special primary elections and special elections as time will permit, and the Elections Canvassing Commission likewise shall make as speedy a canvass and declaration of the nominees as time will permit.

Section 23. Section 100.191, Florida Statutes, is amended to read:

100.191 General election laws applicable to special elections; returns.—All laws that are applicable to general elections are applicable to special elections or special primary elections to fill a vacancy in office or nomination, ~~except that the canvass of returns by the county canvassing board of each county in which a special election is held shall be made on the day following the election, and the certificate of the result of the canvass shall be immediately forwarded to the Department of State.~~ The Elections Canvassing Commission shall immediately, upon receipt of returns from the county in which a special election is held, proceed to canvass the returns and determine and declare the result thereof.

Section 24. *Effective August 1, 2007, subsections (1) and (3) of section 100.371, Florida Statutes, are amended, present subsection (6) of that section is renumbered as subsection (7) and amended, and a new subsection (6) is added to that section, to read:*

100.371 Initiatives; procedure for placement on ballot.—

(1) Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that *valid and verified the petition forms have* ~~has~~ been signed by the constitutionally required number and distribution of electors *under this code, subject to the right of revocation established in this section.*

(3) Each signature shall be dated when made and shall be valid for a period of 4 years following such date, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the

appropriate supervisor of elections for verification as to the number of registered electors whose valid signatures appear thereon. The supervisor shall promptly verify the signatures *within 30 days of receipt of the petition forms and upon* payment of the fee required by s. 99.097. The supervisor shall promptly record ~~each valid signature~~ in the statewide voter registration system, in the manner prescribed by the Secretary of State, *the date each form is received by the supervisor and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:*

- (a) *The form contains the original signature of the purported elector.*
- (b) *The purported elector has accurately recorded on the form the date on which he or she signed the form.*
- (c) *The form accurately sets forth the purported elector's name, street address, county, and voter registration number or date of birth.*
- (d) *The purported elector is, at the time he or she signs the form, a duly qualified and registered elector authorized to vote in the county in which his or her signature is submitted.*

The supervisor shall retain the signature forms for at least 1 year following the election in which the issue appeared on the ballot or until the Division of Elections notifies the supervisors of elections that the committee which circulated the petition is no longer seeking to obtain ballot position.

(6)(a) *An elector's signature on a petition form may be revoked within 150 days of the date on which he or she signed the petition form by submitting to the appropriate supervisor of elections a signed petition-revocation form adopted by rule for this purpose by the division.*

(b) *The petition-revocation form and the manner in which signatures are obtained, submitted, and verified shall be subject to the same relevant requirements and timeframes as the corresponding petition form and processes under this code and shall be approved by the Secretary of State before any signature on a petition-revocation form is obtained.*

(c) *Supervisors of elections shall provide petition-revocation forms to the public at all main and branch offices.*

(d) *The petition-revocation form shall be filed with the supervisor of elections by February 1 preceding the next general election or, if the initiative amendment is not certified for ballot position in that election, by February 1 preceding the next successive general election. The supervisor of elections shall promptly verify the signature on the petition-revocation form and process such revocation upon payment, in advance, of a fee of 10 cents or the actual cost of verifying such signature, whichever is less. The supervisor shall promptly record each valid and verified petition-revocation form in the statewide voter registration system in the manner prescribed by the Secretary of State.*

(7)(6) The Department of State may adopt rules in accordance with s. 120.54 to carry out the provisions of subsections (1)-(6) ~~(1)-(5)~~.

Section 25. Subsection (1) of section 101.043, Florida Statutes, is amended to read:

101.043 Identification required at polls.—

(1) The precinct register, as prescribed in s. 98.461, shall be used at the polls for the purpose of identifying the elector at the polls prior to allowing him or her to vote. The clerk or inspector shall require each elector, upon entering the polling place, to present one of the following current and valid picture identifications:

- (a) Florida driver's license.
- (b) Florida identification card issued by the Department of Highway Safety and Motor Vehicles.
- (c) United States passport.
- ~~(d) Employee badge or identification.~~
- ~~(e) Buyer's club identification.~~
- (d)(f) Debit or credit card.

- ~~(e)(g)~~ Military identification.
- ~~(f)(h)~~ Student identification.
- ~~(g)(i)~~ Retirement center identification.
- ~~(h)(j)~~ Neighborhood association identification.
- ~~(i)(k)~~ Public assistance identification.

If the picture identification does not contain the signature of the voter, an additional identification that provides the voter's signature shall be required. The elector shall sign his or her name in the space provided on the precinct register or on an electronic device provided for recording the voter's signature. The clerk or inspector shall compare the signature with that on the identification provided by the elector and enter his or her initials in the space provided on the precinct register or on an electronic device provided for that purpose and allow the elector to vote if the clerk or inspector is satisfied as to the identity of the elector.

Section 26. Subsection (1) of section 101.048, Florida Statutes, is amended to read:

101.048 Provisional ballots.—

(1) At all elections, a voter claiming to be properly registered in the state and eligible to vote at the precinct in the election but whose eligibility cannot be determined, a person whom an election official asserts is not eligible, and other persons specified in the code shall be entitled to vote a provisional ballot. Once voted, the provisional ballot shall be placed in a secrecy envelope and thereafter sealed in a provisional ballot envelope. The provisional ballot shall be deposited in a ballot box. All provisional ballots shall remain sealed in their envelopes for return to the supervisor of elections. The department shall prescribe the form of the provisional ballot envelope. A person casting a provisional ballot shall have the right to present written evidence supporting his or her eligibility to vote to the supervisor of elections by not later than 5 p.m. on the ~~second~~ ~~third~~ day following the election.

Section 27. Subsection (1) of section 101.573, Florida Statutes, is amended to read:

101.573 Record of votes by precinct.—

(1) Within ~~35~~ ~~75~~ days after the date of a municipal election or runoff, whichever occurs later, a presidential preference primary, a primary election, a special election, or a general election, the supervisor of elections shall file with the Department of State precinct-level election results, in an electronic format specified by the Department of State, for that election cycle, ~~including any primary elections~~. Precinct-level election results shall separately record for each precinct *all demographic data associated with each precinct at book close for each election, individual vote history*, the returns of ballots cast at the precinct location, ~~to~~ ~~which have been added~~ the returns of absentee ballots cast by voters registered in the precinct, and the returns of early ballots cast by voters registered in the precinct. *The data are required to be cross referenced by political party and other demographic information as defined by the Department of State. The Department of State shall create a uniform system for the collection and reporting of such precinct-level election results and vote history.*

Section 28. Subsections (6) and (8) of section 101.6103, Florida Statutes, are amended to read:

101.6103 Mail ballot election procedure.—

(6) The canvassing board may begin the canvassing of mail ballots at 7 a.m. on the ~~sixth~~ ~~fourth~~ day before the election, including processing the ballots through the tabulating equipment. However, results may not be released until after 7 p.m. on election day. Any canvassing board member or election employee who releases any result before 7 p.m. on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8) ~~Effective July 1, 2005,~~ A ballot that otherwise satisfies the requirements of subsection (5) shall be counted even if the elector dies after mailing the ballot but before election day, as long as, prior to the death of the voter, the ballot was:

- (a) Postmarked by the United States Postal Service;
- (b) Date-stamped with a verifiable tracking number by common carrier; or
- (c) Already in the possession of the supervisor of elections.

Section 29. Effective July 1, 2007, subsections (1) and (4) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor may accept a request for an absentee ballot from an elector in person or in writing. Except as provided in s. 101.694, one request shall be deemed sufficient to receive an absentee ballot for all elections *through the next two regularly scheduled general elections which are held within a calendar year*, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for an absentee ballot from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(b). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested;
2. The elector's address;
3. The elector's date of birth;
4. The requester's name;
5. The requester's address;
6. The requester's driver's license number, if available;
7. The requester's relationship to the elector; and
8. The requester's signature (written requests only).

(4)(a) To each absent qualified elector overseas who has requested an absentee ballot, the supervisor of elections shall mail an absentee ballot not ~~less fewer~~ than 35 days before the primary election and not less than 45 days before the ~~or~~ general election.

(b) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor, unless the elector specifies in the request that:
 - a. The elector is absent from the county and does not plan to return before the day of the election;
 - b. The elector is temporarily unable to occupy the residence because of hurricane, tornado, flood, fire, or other emergency or natural disaster; or
 - c. The elector is in a hospital, assisted-living facility, nursing home, short-term medical or rehabilitation facility, or correctional facility,
 in which case the supervisor shall mail the ballot by nonforwardable, return-if-undeliverable mail to any other address the elector specifies in the request.

2. By forwardable mail to voters who are entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act.

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043 ~~s. 101.657~~.

4. By delivery to a designee on election day or up to 5 4 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may

not pick up more than two absentee ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

Section 30. Subsection (2) of section 101.68, Florida Statutes, is amended to read:

101.68 Canvassing of absentee ballot.—

(2)(a) The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the ~~sixth~~ fourth day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m. on the ~~sixth~~ fourth day before the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing absentee ballots early, no result shall be released until after the closing of the polls in that county on election day. Any supervisor of elections, deputy supervisor of elections, canvassing board member, election board member, or election employee who releases the results of a canvassing or processing of absentee ballots prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) To ensure that all absentee ballots to be counted by the canvassing board are accounted for, the canvassing board shall compare the number of ballots in its possession with the number of requests for ballots received to be counted according to the supervisor's file or list.

(c1) The canvassing board shall, if the supervisor has not already done so, compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books to see that the elector is duly registered in the county and to determine the legality of that absentee ballot. ~~Effective July 1, 2005,~~ The ballot of an elector who casts an absentee ballot shall be counted even if the elector dies on or before election day, as long as, prior to the death of the voter, the ballot was postmarked by the United States Postal Service, date-stamped with a verifiable tracking number by common carrier, or already in the possession of the supervisor of elections. An absentee ballot shall be considered illegal if it does not include the signature of the elector, as shown by the registration records. However, an absentee ballot shall not be considered illegal if the signature of the elector does not cross the seal of the mailing envelope. If the canvassing board determines that any ballot is illegal, a member of the board shall, without opening the envelope, mark across the face of the envelope: "rejected as illegal." The envelope and the ballot contained therein shall be preserved in the manner that official ballots voted are preserved.

2. If any elector or candidate present believes that an absentee ballot is illegal due to a defect apparent on the voter's certificate, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the ballot, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate may not be accepted after the ballot has been removed from the mailing envelope.

(d) The canvassing board shall record the ballot upon the proper record, unless the ballot has been previously recorded by the supervisor. The mailing envelopes shall be opened and the secrecy envelopes shall be mixed so as to make it impossible to determine which secrecy envelope came out of which signed mailing envelope; however, in any county in which an electronic or electromechanical voting system is used, the ballots may be sorted by ballot styles and the mailing envelopes may be opened and the secrecy envelopes mixed separately for each ballot style. The votes on absentee ballots shall be included in the total vote of the county.

Section 31. Subsection (2) of section 102.112, Florida Statutes, is amended to read:

102.112 Deadline for submission of county returns to the Department of State.—

(2) Returns must be filed by 5 p.m. on the 7th day following a primary election and by ~~noon 5 p.m.~~ on the ~~12th 11th~~ day following the general election. However, the Department of State may correct typographical errors, including the transposition of numbers, in any returns submitted to the Department of State pursuant to s. 102.111(1).

Section 32. Present subsections (4) through (9) of section 102.141, Florida Statutes, are renumbered as subsections (5) through (10), respectively, present subsections (4) and (6) of that section are amended, and a new subsection (4) is added to that section, to read:

102.141 County canvassing board; duties.—

(4) *The canvassing board shall submit by 11:59 p.m. on election night the preliminary returns it has received to the Department of State in a format provided by the department.*

(5)(4) The canvassing board shall submit on forms or in formats provided by the division unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot measure no later than noon on the third day after any primary election and no later than noon on the ~~fourth fifth~~ day after any general or other election. Such returns shall include the canvass of all ballots as required by subsection (2), ~~except for provisional ballots, which returns shall be reported at the time required for official returns pursuant to s. 102.112(2).~~

(7)(6) If the unofficial returns reflect that a candidate for any office was defeated or eliminated by one-half of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-half of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-half of a percent or less of the votes cast on such measure, the board responsible for certifying the results of the vote on such race or measure shall order a recount of the votes cast with respect to such office or measure. The Elections Canvassing Commission is the board responsible for ordering federal, state, and multicounty recounts. A recount need not be ordered with respect to the returns for any office, however, if the candidate or candidates defeated or eliminated from contention for such office by one-half of a percent or less of the votes cast for such office request in writing that a recount not be made.

(a) Each canvassing board responsible for conducting a recount shall put each marksense ballot through automatic tabulating equipment and determine whether the returns correctly reflect the votes cast. If any marksense ballot is physically damaged so that it cannot be properly counted by the automatic tabulating equipment during the recount, a true duplicate shall be made of the damaged ballot pursuant to the procedures in s. 101.5614(5). Immediately before the start of the recount, a test of the tabulating equipment shall be conducted as provided in s. 101.5612. If the test indicates no error, the recount tabulation of the ballots cast shall be presumed correct and such votes shall be canvassed accordingly. If an error is detected, the cause therefor shall be ascertained and corrected and the recount repeated, as necessary. The canvassing board shall immediately report the error, along with the cause of the error and the corrective measures being taken, to the Department of State. No later than 11 days after the election, the canvassing board shall file a separate incident report with the Department of State, detailing the resolution of the matter and identifying any measures that will avoid a future recurrence of the error.

(b) Each canvassing board responsible for conducting a recount where touchscreen ballots were used shall examine the counters on the precinct tabulators to ensure that the total of the returns on the precinct tabulators equals the overall election return. If there is a discrepancy between the overall election return and the counters of the precinct tabulators, the counters of the precinct tabulators shall be presumed correct and such votes shall be canvassed accordingly.

(c) The canvassing board shall submit on forms or in formats provided by the division a second set of unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot

measure no later than 3 p.m. on the fifth day after any primary election and no later than 3 p.m. on the ~~ninth eighth~~ day after any general election in which a recount was conducted pursuant to this subsection. If the canvassing board is unable to complete the recount prescribed in this subsection by the deadline, the second set of unofficial returns submitted by the canvassing board shall be identical to the initial unofficial returns and the submission shall also include a detailed explanation of why it was unable to timely complete the recount. However, the canvassing board shall complete the recount prescribed in this subsection, along with any manual recount prescribed in s. 102.166, and certify election returns in accordance with the requirements of this chapter.

(d) The Department of State shall adopt detailed rules prescribing additional recount procedures for each certified voting system, which shall be uniform to the extent practicable.

Section 33. Paragraph (b) of subsection (5) of section 102.166, Florida Statutes, is amended to read:

102.166 Manual recounts.—

(5) Procedures for a manual recount are as follows:

(b) Each duplicate ballot prepared pursuant to s. 101.5614(5) or s. ~~102.141(7) s. 102.141(6)~~ shall be compared with the original ballot to ensure the correctness of the duplicate.

Section 34. Subsection (3) is added to section 103.081, Florida Statutes, to read:

103.081 Use of party name; political advertising.—

(3) *A political party may file with the Department of State names of groups or committees associated with the political party. Such filed names may not be used without first obtaining the written permission of the chair of the state executive committee of the party.*

Section 35. Subsections (1) and (4) and paragraph (b) of subsection (6) of section 103.091, Florida Statutes, are amended to read:

103.091 Political parties.—

(1) Each political party of the state shall be represented by a state executive committee. County executive committees and other committees may be established in accordance with the rules of the state executive committee. A political party may provide for the selection of its national committee and its state and county executive committees in such manner as it deems proper. Unless otherwise provided by party rule, the county executive committee of each political party shall consist of at least two members, a man and a woman, from each precinct, who shall be called the precinct committeeman and committeewoman. For counties divided into 40 or more precincts, the state executive committee may adopt a district unit of representation for such county executive committees. Upon adoption of a district unit of representation, the state executive committee shall request the supervisor of elections of that county, with approval of the board of county commissioners, to provide for election districts as nearly equal in number of registered voters as possible. Each county committeeman or committeewoman shall be a resident of the precinct from which he or she is elected. *Each state committeeman or committeewoman must be a member in good standing of the county executive committee for the county in which the state committeeman or committeewoman is a registered voter.*

(4) Any political party other than a minor political party may by rule provide for the membership of its state or county executive committee to be elected for 4-year terms at the primary election in each year a presidential election is held. The terms shall commence on the first day of the month following each presidential general election; but the names of candidates for political party offices shall not be placed on the ballot at any other election. The results of such election shall be determined by a plurality of the votes cast. In such event, electors seeking to qualify for such office shall do so with the Department of State or supervisor of elections not earlier than noon of the ~~71st 57th~~ day, or later than noon of the ~~67th 53rd~~ day, preceding the primary election. The outgoing chair of each county executive committee shall, within 30 days after the committee members take office, hold an organizational meeting of all newly elected members for the purpose of electing officers. The chair of each state executive committee shall, within 60 days after the committee members take office, hold an organizational meeting of all newly elected members for the purpose of electing officers.

(6)

(b) Each state executive committee shall include, as at-large committeemen and committeewomen, all members of the United States Congress representing the State of Florida who are members of the political party, all statewide elected officials who are members of the party, 10 Florida registered voters who are members of the party as appointed by the Governor if the Governor is a member of the party, and the President of the Senate or the Minority Leader in the Senate, and the Speaker of the House of Representatives or the Minority Leader in the House of Representatives, whichever is a member of the political party, and 20 members of the Legislature who are members of the political party. Ten of the legislators shall be appointed with the concurrence of the state chair of the respective party, as follows: five to be appointed by the President of the Senate; five by the Minority Leader in the Senate; five by the Speaker of the House of Representatives; and five by the Minority Leader in the House.

Section 36. Section 103.141, Florida Statutes, is amended to read:

103.141 Removal of county executive committee member for violation of oath.—

(1) Where the county executive committee by at least a two-thirds majority vote of the members of the committee, attending a meeting held after due notice has been given and at which meeting a quorum is present, determines an incumbent county executive committee member to be guilty of an offense involving a violation of the member's oath of office, said member so violating his or her oath shall be removed from office and the office shall be deemed vacant. Provided, however, if the county committee wrongfully removes a county committee member and the committee member so wrongfully removed files suit in the circuit court alleging his or her removal was wrongful and wins said suit, the committee member shall be restored to office and the county committee shall pay the costs incurred by the wrongfully removed committee member in bringing the suit, including reasonable attorney's fees.

(2) ~~Any officer, county committeeman, county committeewoman, precinct committeeman, precinct committeewoman, or member of a county executive committee may be removed from office pursuant to s. 103.161. Either the county or state executive committee is empowered to take judicial action in chancery against a county committee member for alleged violation of the member's oath of office in the circuit court of the county in which that committee member is an elector; provided, however, that the state committee may take such judicial action only when a county committee refuses to take such judicial action within 10 days after a charge is made. Procedure shall be as in other cases in chancery, and if the court shall find as fact that the defendant did violate his or her oath of office, it shall enter a decree removing the defendant from the county committee. If either such executive committee brings suit in the circuit court for the removal of a county committee member and loses said suit, such committee shall pay the court costs incurred in such suit by the committee member, including reasonable attorney's fees.~~

Section 37. Section 103.151, Florida Statutes, is repealed.

Section 38. Section 103.161, Florida Statutes, is created to read:

103.161 Removal or suspension of officers or members of state executive committee or county executive committee.—

(1) *The chairman of the state executive committee is empowered to remove or suspend from an office within the chairman's political party any officer, state committeeman, state committeewoman, county committeeman, county committeewoman, precinct committeeman, precinct committeewoman, or other member of a state executive committee, county executive committee, political party club, or other organization using the political party name as provided in s. 103.081 for a violation of the oath of office taken by such individual or for engaging in other activities described in this section.*

(2) *Such violation may include engaging in activities that have or could have injured the name or status of the political party or interfered with the activities of the political party. The chairman has sole discretion to determine if a violation occurred.*

(3) *Upon the chairman's determination that a violation of the oath of office occurred or that an individual engaged in other activities described in this section, the chairman may remove or suspend the individual from*

his or her office. If the chairman removes the individual from office, the office shall be deemed vacant upon the delivery of the chairman's written order of removal to the individual. When a vacancy in office is created, the chairman shall appoint an individual to serve through the end of the term of the office. If the chairman suspends the individual, the chairman shall determine the length of the suspension.

(4) *An individual removed from office by the chairman shall not be eligible to serve on the state executive committee or any county executive committee of the political party for a period of no less than 4 years from the effective date of the removal.*

Section 39. Subsection (1) of section 105.031, Florida Statutes, is amended to read:

105.031 Qualification; filing fee; candidate's oath; items required to be filed.—

(1) TIME OF QUALIFYING.—Except for candidates for judicial office, nonpartisan candidates for multicounty office shall qualify with the Division of Elections of the Department of State and nonpartisan candidates for countywide or less than countywide office shall qualify with the supervisor of elections. Candidates for judicial office other than the office of county court judge shall qualify with the Division of Elections of the Department of State, and candidates for the office of county court judge shall qualify with the supervisor of elections of the county. Candidates for judicial office shall qualify no earlier than noon of the 120th day, and no later than noon of the 116th day, before the primary election. Candidates for the office of school board member shall qualify no earlier than noon of the 71st 50th day, and no later than noon of the 67th 46th day, before the primary election. Filing shall be on forms provided for that purpose by the Division of Elections and furnished by the appropriate qualifying officer. ~~Any person seeking to qualify by the petition process, as set forth in s. 105.035, who has submitted the necessary petitions by the required deadline and is notified after the fifth day prior to the last day for qualifying that the required number of signatures has been obtained, shall be entitled to subscribe to the candidate's oath and file the qualifying papers at any time within 5 days from the date he or she is notified that the necessary number of signatures has been obtained.~~ Any person other than a write-in candidate who qualifies within the time prescribed in this subsection shall be entitled to have his or her name printed on the ballot.

Section 40. Paragraph (c) of subsection (1) of section 106.021, Florida Statutes, is amended to read:

106.021 Campaign treasurers; deputies; primary and secondary depositories.—

(1)

(c) Any campaign treasurer or deputy treasurer appointed pursuant to this section ~~shall be a registered voter in this state and shall, before such appointment may become effective, have accepted appointment to such position in writing and filed such acceptance with the officer before whom the candidate is required to qualify or with the officer with whom the political committee is required to file reports. An individual may be appointed and serve as campaign treasurer of a candidate and a political committee or two or more candidates and political committees. A candidate may appoint herself or himself as campaign treasurer.~~

Section 41. Subsection (1) of section 106.04, Florida Statutes, is amended to read:

106.04 Committees of continuous existence.—

(1) In order to qualify as a committee of continuous existence for the purposes of this chapter, a group, organization, association, or other such entity which is involved in making contributions to candidates, political committees, or political parties, shall meet the following criteria:

(a) It shall be organized and operated in accordance with a written charter or set of bylaws which contains procedures for the election of officers and directors and which clearly defines membership in the organization; and

(b) At least 25 percent of the income of such organization, excluding interest, must be derived from dues or assessments payable on a regular

basis by its membership pursuant to provisions contained in the charter or bylaws. *Dues may be collected by a group, organization, association, or other such entity from its members and forwarded to the committee of continuous existence. The committee of continuous existence shall report such dues as if it had received the dues directly from its members, in the manner prescribed in subsection (4).*

Section 42. Section 106.055, Florida Statutes, is amended to read:

106.055 Valuation of in-kind contributions.—Any person who makes an in-kind contribution shall, at the time of making such contribution, place a value on such contribution, which valuation shall be the fair market value of such contribution. *Travel conveyed upon private aircraft shall be valued at the actual cost of per person commercial air travel for the same or a substantially similar route.*

Section 43. Subsection (10) is added to section 106.08, Florida Statutes, to read:

106.08 Contributions; limitations on.—

(10) *Contributions to a political committee or committee of continuous existence may be received by an affiliated organization and transferred to the bank account of the political committee or committee of continuous existence via check written from the affiliated organization if such contributions are specifically identified as intended to be contributed to the political committee or committee of continuous existence. All contributions received in this manner shall be reported pursuant to s. 106.07 by the political committee or committee of continuous existence as having been made by the original contributor.*

Section 44. Section 106.09, Florida Statutes, is amended to read:

106.09 Cash contributions and contribution by cashier's checks.—

(1) A person may not make or accept a cash contribution or contribution by means of a cashier's check in excess of \$50 ~~\$100~~.

(2)(a) Any person who makes or accepts a contribution in excess of \$50 ~~\$100~~ in violation of this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person who knowingly and willfully makes or accepts a contribution in excess of \$5,000 in violation of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 45. Subsection (1) of section 106.143, Florida Statutes, is amended to read:

106.143 Political advertisements circulated prior to election; requirements.—

(1)(a) Any political advertisement that is paid for by a candidate and that is published, displayed, or circulated prior to, or on the day of, any election must prominently state: "Political advertisement paid for and approved by (name of candidate), (party affiliation), for (office sought)."

(b) Any other political advertisement published, displayed, or circulated prior to, or on the day of, any election must prominently:

1. Be marked "paid political advertisement" or with the abbreviation "pd. pol. adv."

2. State the name and address of the persons sponsoring the advertisement.

3.a.(I) State whether the advertisement and the cost of production is paid for or provided in kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement; or

(II) State who provided or paid for the advertisement and cost of production, if different from the source of sponsorship.

b. This subparagraph does not apply if the source of the sponsorship is patently clear from the content or format of the political advertisement.

(c) Any political advertisement made pursuant to s. 106.021(3)(d) must be marked "paid political advertisement" or with the abbreviation

"pd. pol. adv." and must prominently state, "Paid for and sponsored by (name of person paying for political advertisement). Approved by (names of persons, party affiliation, and offices sought in the political advertisement)..."

This subsection does not apply to campaign messages used by a candidate and the candidate's supporters if those messages are designed to be worn by a person.

Section 46. Section 106.17, Florida Statutes, is amended to read:

106.17 Polls and surveys relating to candidacies.—Any candidate, political committee, *committee of continuous existence*, electioneering communication organization, or state or county executive committee of a political party may authorize or conduct a political poll, survey, index, or measurement of any kind relating to candidacy for public office so long as the candidate, political committee, *committee of continuous existence*, electioneering communication organization, or political party maintains complete jurisdiction over the poll in all its aspects.

Section 47. Section 106.25, Florida Statutes, is amended to read:

106.25 Reports of alleged violations to Florida Elections Commission; disposition of findings.—

(1) Jurisdiction to investigate and determine violations of this chapter and chapter 104 is vested in the Florida Elections Commission; however, nothing in this section limits the jurisdiction of any other officers or agencies of government empowered by law to investigate, act upon, or dispose of alleged violations of this code.

(2) The commission shall investigate all violations of this chapter and chapter 104, but only after having received either a sworn complaint or information reported to it under this subsection by the Division of Elections. *Such sworn complaint must be based upon personal information or information other than hearsay.* Any person, other than the division, having information of any violation of this chapter or chapter 104 shall file a sworn complaint with the commission. The commission shall investigate only those alleged violations specifically contained within the sworn complaint. If any complainant fails to allege all violations that arise from the facts or allegations alleged in a complaint, the commission shall be barred from investigating a subsequent complaint from such complainant that is based upon such facts or allegations that were raised or could have been raised in the first complaint. *If the complaint includes allegations of violations relating to expense items reimbursed by a candidate, committee, or organization to the campaign account before a sworn complaint is filed, the commission shall be barred from investigating such allegations.* Such sworn complaint shall state whether a complaint of the same violation has been made to any state attorney. Within 5 days after receipt of a sworn complaint, the commission shall transmit a copy of the complaint to the alleged violator. *If the executive director finds that the complaint is legally sufficient, the respondent shall be notified of such finding by letter, which sets forth the statutory provisions alleged to have been violated and the alleged factual basis that supports the finding.* All sworn complaints alleging violations of the Florida Election Code over which the commission has jurisdiction shall be filed with the commission within 2 years after the alleged violations. The period of limitations is tolled on the day a sworn complaint is filed with the commission. *The complainant may withdraw the sworn complaint at any time prior to a probable cause hearing if good cause is shown. Withdrawal shall be requested in writing, signed by the complainant, and witnessed by a notary public, stating the facts and circumstances constituting good cause. The executive director shall prepare a written recommendation regarding disposition of the request which shall be given to the commission together with the request. "Good cause" shall be determined based upon the legal sufficiency or insufficiency of the complaint to allege a violation and the reasons given by the complainant for wishing to withdraw the complaint. If withdrawal is permitted, the commission must close the investigation and the case. No further action may be taken. The complaint will become a public record at the time of withdrawal.*

(3) For the purposes of commission jurisdiction, a violation shall mean the willful performance of an act prohibited by this chapter or chapter 104 or the willful failure to perform an act required by this chapter or chapter 104. *Willfulness is a determination of fact; however, at the request of the respondent, willfulness may be considered and determined in an informal hearing before the commission.*

(4) The commission shall undertake a preliminary investigation to determine if the facts alleged in a sworn complaint or a matter initiated

by the division constitute probable cause to believe that a violation has occurred. The respondent, the complainant, and their respective counsel shall be permitted to attend the hearing at which the probable cause determination is made. Notice of the hearing shall be sent to the respondent and the complainant at least 14 days prior to the date of the hearing. The respondent and his or her counsel shall be permitted to make a brief oral statement in the nature of oral argument to the commission before the probable cause determination. The commission's determination shall be based upon the investigator's report, the complaint, and staff recommendations, as well as any written statements submitted by the respondent and any oral statements made at the hearing. No testimony or other evidence shall be accepted at the hearing. Upon completion of the preliminary investigation, the commission shall, by written report, find probable cause or no probable cause to believe that this chapter or chapter 104 has been violated.

(a) When the investigator's report is completed, the executive director shall notify the respondent that the report is completed and shall send to the respondent a copy of the investigator's report. The investigatory file and main complaint file shall be open for inspection by the respondent and the respondent's counsel at that time, and copies may be obtained at no more than cost.

(b) The respondent shall be given not less than 14 days from the date of mailing of the investigator's report to file with the commission a written response to the investigator's report. This time period may be shortened with the consent of the respondent, or without the consent of the respondent when the passage of time could reasonably be expected to render moot the ultimate disposition of the matter by the commission so long as reasonable notice under the circumstances is given.

(c) Counsel for the commission shall review the investigator's report and shall make a written recommendation to the commission for the disposition of the complaint. If the counsel for the commission recommends that the commission find probable cause, the recommendation shall include a statement of what charges shall be at issue. A copy of the recommendation shall be furnished to the respondent. The respondent shall be given not less than 14 days from the date of mailing of the recommendation of counsel for the commission to file with the commission a written response to the recommendation. This time period may be shortened with the consent of the respondent, or without the consent of the respondent when the passage of time could reasonably be expected to render moot the ultimate disposition of the matter by the commission, so long as the recommendation is furnished to the respondent within a reasonable period of time under the circumstances.

(d) The respondent and each complainant, their counsel, and the counsel for the commission shall be permitted to attend the hearing at which the probable cause determination is made. Notice of the hearing shall be sent to the respondent, each complainant, and counsel for the commission at least 14 days before the hearing. This time period may be shortened with the consent of the respondent, or without the consent of the respondent when the passage of time could reasonably be expected to render moot the ultimate disposition of the matter by the commission, so long as the notice is furnished within a reasonable period of time under the circumstances.

(e) The probable cause determination is the conclusion of the preliminary investigation. The respondent and the counsel for the commission shall be permitted to make brief oral statements in the nature of oral argument to the commission, based on the investigator's report, before the probable cause determination. The commission's determination shall be based upon the investigator's report, the recommendation of counsel for the commission, the complaint, and staff recommendations, as well as any written statements submitted by the respondent and any oral statements made at the hearing. No testimony or other evidence will be accepted at the hearing.

(f) At its meeting to determine probable cause, the commission may continue its determination to allow further investigation; may order the issuance of a public report of its investigation if it finds no probable cause to believe that there has been a violation of this chapter or chapter 104, concluding the matter before it; may order a final, public hearing of the complaint if it finds probable cause to believe that there has been a violation of this chapter or chapter 104; or may take such other action as it deems necessary to resolve the complaint, consistent with due process of law. In making its determination, the commission may consider:

1. The sufficiency of the evidence against the respondent, as contained in the investigator's report;
2. The admissions and other stipulations of the respondent, if any;
3. The nature and circumstances of the respondent's actions;
4. The expense of further proceedings; and
5. Such other factors as it deems material to its decision.

If the commission finds probable cause, the commission shall determine what charges shall be at issue.

(g)(a) If no probable cause is found, the commission shall dismiss the case and the case shall become a matter of public record, except as otherwise provided in this section, together with a written statement of the findings of the preliminary investigation and a summary of the facts which the commission shall send to the complainant and the alleged violator. A finding of no probable cause by the commission is a full adjudication of all such matters. The commission may not charge a respondent in a subsequent complaint alleging violations based upon the same actions, nonactions, or circumstances wherein the commission found no probable cause.

(h)(b) If probable cause is found, the commission shall so notify the complainant and the alleged violator in writing. All documents made or received in the disposition of the complaint shall become public records upon a finding by the commission.

(i)1. Upon a commission finding of probable cause, the counsel for the commission shall attempt to reach a consent agreement with the respondent.

2. A consent agreement is not binding upon either party unless and until it is signed by the respondent and by counsel for the commission upon approval by the commission.

3. Nothing herein shall be construed to prevent the commission from entering into a consent agreement with a respondent prior to a commission finding of probable cause if a respondent indicates in writing a desire to enter into negotiations directed towards reaching such a consent agreement. Any consent agreement reached under this subparagraph is subject to the provisions of subparagraph 2. and shall have the same force and effect as a consent agreement reached after the commission finding of probable cause.

(j) If a consent agreement is reached between the commission and the respondent, counsel for the commission shall send a copy of the signed agreement to both complainant and respondent.

In a case where probable cause is found, the commission shall make a preliminary determination to consider the matter or to refer the matter to the state attorney for the judicial circuit in which the alleged violation occurred. Notwithstanding any other provisions of this section, the commission may, at its discretion, dismiss any complaint at any stage of disposition if it determines that the public interest would not be served by proceeding further, in which case the commission shall issue a public report stating with particularity its reasons for the dismissal.

(5) ~~Unless~~ ~~When there are disputed issues of material fact in a proceeding conducted under ss. 120.569 and 120.57,~~ a person alleged by the Elections Commission to have committed a violation of this chapter or chapter 104 ~~elects~~ ~~may elect,~~ within 30 days after the date of the filing of the commission's allegations, to have a formal or informal hearing conducted before the commission, or elects to resolve the complaint by consent order, such person shall be entitled to a formal administrative hearing conducted by an administrative law judge in the Division of Administrative Hearings. The administrative law judge in such proceedings shall enter a final order subject to appeal as provided in s. 120.68.

(6) It is the duty of a state attorney receiving a complaint referred by the commission to investigate the complaint promptly and thoroughly; to undertake such criminal or civil actions as are justified by law; and to report to the commission the results of such investigation, the action taken, and the disposition thereof. The failure or refusal of a state attorney to prosecute or to initiate action upon a complaint or a referral by the commission shall not bar further action by the commission under this chapter.

(7) Every sworn complaint filed pursuant to this chapter with the commission, every investigation and investigative report or other paper of the commission with respect to a violation of this chapter or chapter 104, and every proceeding of the commission with respect to a violation of this chapter or chapter 104 is confidential, is exempt from the provisions of ss. 119.07(1) and 286.011, and is exempt from publication in the Florida Administrative Weekly of any notice or agenda with respect to any proceeding relating to such violation, except under the following circumstances:

- (a) As provided in subsection (6);
- (b) Upon a determination of probable cause or no probable cause by the commission; or
- (c) For proceedings conducted with respect to appeals of fines levied by filing officers for the late filing of reports required by this chapter.

However, a complainant is not bound by the confidentiality provisions of this section. In addition, confidentiality may be waived in writing by the person against whom the complaint has been filed or the investigation has been initiated. If a finding of probable cause in a case is entered within 30 days prior to the date of the election with respect to which the alleged violation occurred, such finding and the proceedings and records relating to such case shall not become public until noon of the day following such election. When two or more persons are being investigated by the commission with respect to an alleged violation of this chapter or chapter 104, the commission may not publicly enter a finding of probable cause or no probable cause in the case until a finding of probable cause or no probable cause for the entire case has been determined. However, once the confidentiality of any case has been breached, the person or persons under investigation have the right to waive the confidentiality of the case, thereby opening up the proceedings and records to the public. Any person who discloses any information or matter made confidential by the provisions of this subsection commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(8) Any person who files a complaint pursuant to this section while knowing that the allegations contained in such complaint are false or without merit commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(9) *The commission shall maintain a database of all final orders and agency actions. Such database shall be available to the public and shall be maintained in such a manner as to be searchable, at a minimum, by issue, statutes, individuals, or entities referenced.*

Section 48. Subsection (4) of section 106.35, Florida Statutes, is amended to read:

106.35 Distribution of funds.—

(4) Distribution of funds shall be made *beginning on the 32nd day prior to the primary* ~~within 7 days after the close of qualifying~~ and every 7 days thereafter.

Section 49. Section 112.51, Florida Statutes, is amended to read:

112.51 Municipal officers; suspension; removal from office.—

(1) By executive order stating the grounds for the suspension and filed with the Secretary of State, the Governor may suspend from office any elected or appointed municipal official for malfeasance, misfeasance, neglect of duty, habitual drunkenness, incompetence, or permanent inability to perform official duties.

(2) Whenever any elected or appointed municipal official is arrested for a felony or for a misdemeanor related to the duties of office or is indicted or informed against for the commission of a federal felony or misdemeanor or state felony or misdemeanor, the Governor has the power to suspend such municipal official from office.

(3) The suspension of such official by the Governor creates a temporary vacancy in such office during the suspension. Any temporary vacancy in office created by suspension of an official under the provisions of this section shall be filled by a temporary appointment to such office for the period of the suspension. Such temporary appointment shall be made in the same manner and by the same authority by which a permanent vacancy in such office is filled as provided by law. If no provision

for filling a permanent vacancy in such office is provided by law, the temporary appointment shall be made by the Governor.

(4) No municipal official who has been suspended from office under this section may perform any official act, duty, or function during his or her suspension; receive any pay or allowance during his or her suspension; or be entitled to any of the emoluments or privileges of his or her office during suspension.

(5) If the municipal official is convicted of any of the charges contained in the indictment or information by reason of which he or she was suspended under the provisions of this section, the Governor shall remove such municipal official from office. *If a person was selected to fill the temporary vacancy pursuant to subsection (3), that person shall serve the remaining balance, if any, of the removed official's term of office. Otherwise, any vacancy created by the removal shall be filled as provided by law.* For the purposes of this section, any person who pleads guilty or nolo contendere or who is found guilty shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

(6) If the municipal official is acquitted or found not guilty or is otherwise cleared of the charges which were the basis of the arrest, indictment, or information by reason of which he or she was suspended under the provisions of this section, then the Governor shall forthwith revoke the suspension and restore such municipal official to office; and the official shall be entitled to and be paid full back pay and such other emoluments or allowances to which he or she would have been entitled for the full period of time of the suspension. If, during the suspension, the term of office of the municipal official expires and a successor is either appointed or elected, such back pay, emoluments, or allowances shall only be paid for the duration of the term of office during which the municipal official was suspended under the provisions of this section, and he or she shall not be reinstated.

Section 50. *Section 106.37, Florida Statutes, is repealed.*

Section 51. Subsections (2) and (3) of section 189.405, Florida Statutes, are amended to read:

189.405 Elections; general requirements and procedures; education programs.—

(2)(a) Any independent special district located entirely in a single county may provide for the conduct of district elections by the supervisor of elections for that county. Any independent special district that conducts its elections through the office of the supervisor shall make election procedures consistent with the Florida Election Code.

(b) Any independent special district not conducting district elections through the supervisor of elections shall report to the supervisor in a timely manner the purpose, date, authorization, procedures, and results of each election conducted by the district.

(c) A candidate for a position on a governing board of a single-county special district that has its elections conducted by the supervisor of elections shall qualify for the office with the county supervisor of elections in whose jurisdiction the district is located. Elections for governing board members elected by registered electors shall be nonpartisan, except when partisan elections are specified by a district's charter. Candidates shall qualify *as directed by chapter 99, by paying a filing fee equal to 3 percent of the salary or honorarium paid for the office, or a filing fee of \$25, whichever is more. Alternatively, candidates may qualify by submitting a petition that contains the signatures of at least 3 percent of the district's registered electors, or any lesser amount of signatures directed by chapter 99, chapter 582, or other general or special law. No election or party assessment shall be levied if the election is nonpartisan.* The qualifying fee shall be remitted to the general revenue fund of the qualifying officer to help defray the cost of the election. ~~The petition form shall be submitted and checked in the same manner as those for nonpartisan judicial candidates pursuant to s. 105.035.~~

(3)(a) If a multicounty special district has a popularly elected governing board, elections for the purpose of electing members to such board shall conform to the Florida Election Code, chapters 97-106.

(b) With the exception of those districts conducting elections on a one-acre/one-vote basis, qualifying for multicounty special district governing board positions shall be coordinated by the Department of State.

Elections for governing board members elected by registered electors shall be nonpartisan, except when partisan elections are specified by a district's charter. Candidates shall qualify *as directed by chapter 99*, by paying a filing fee equal to 3 percent of the salary or honorarium paid for the office, or a filing fee of \$25, whichever is more. Alternatively, candidates may qualify by submitting a petition that contains the signatures of at least 3 percent of the district's registered electors, or any lesser amount of signatures directed by chapter 99, chapter 582, or other general or special law. No election or party assessment shall be levied if the election is nonpartisan. The qualifying fee shall be remitted to the Department of State. The petition form shall be submitted and checked in the same manner as those for nonpartisan judicial candidates pursuant to s. 105.035.

Section 52. Paragraph (a) of subsection (1) of section 191.005, Florida Statutes, is amended to read:

191.005 District boards of commissioners; membership, officers, meetings.—

(1)(a) With the exception of districts whose governing boards are appointed collectively by the Governor, the county commission, and any cooperating city within the county, the business affairs of each district shall be conducted and administered by a five-member board. All three-member boards existing on the effective date of this act shall be converted to five-member boards, except those permitted to continue as a three-member board by special act adopted in 1997 or thereafter. The board shall be elected in nonpartisan elections by the electors of the district. Except as provided in this act, such elections shall be held at the time and in the manner prescribed by law for holding general elections in accordance with s. 189.405(2)(a) and (3), and each member shall be elected for a term of 4 years and serve until the member's successor assumes office. Candidates for the board of a district shall qualify *as directed by chapter 99*, with the county supervisor of elections in whose jurisdiction the district is located. If the district is a multicounty district, candidates shall qualify with the Department of State. All candidates may qualify by paying a filing fee of \$25 or by obtaining the signatures of at least 25 registered electors of the district on petition forms provided by the supervisor of elections which petitions shall be submitted and checked in the same manner as petitions filed by nonpartisan judicial candidates pursuant to s. 105.035. Notwithstanding s. 106.021, a candidate who does not collect contributions and whose only expense is the filing fee is not required to appoint a campaign treasurer or designate a primary campaign depository.

Section 53. Paragraph (a) of subsection (1) of section 582.18, Florida Statutes, is amended to read:

582.18 Election of supervisors of each district.—

(1) The election of supervisors for each soil and water conservation district shall be held every 2 years. The elections shall be held at the time of the general election provided for by s. 100.041. The office of the supervisor of a soil and water conservation district is a nonpartisan office, and candidates for such office are prohibited from campaigning or qualifying for election based on party affiliation.

(a) Each candidate for supervisor for such district shall *qualify as directed by chapter 99*, be nominated by nominating petition subscribed by 25 or more qualified electors of such district. Candidates shall obtain signatures on petition forms prescribed by the Department of State and furnished by the appropriate qualifying officer. In multicounty districts, the appropriate qualifying officer is the Secretary of State; in single-county districts, the appropriate qualifying officer is the supervisor of elections. Such forms may be obtained at any time after the first Tuesday after the first Monday in January preceding the election, but prior to the 21st day preceding the first day of the qualifying period for state office. Each petition shall be submitted, prior to noon of the 21st day preceding the first day of the qualifying period for state office, to the supervisor of elections of the county for which such petition was circulated. The supervisor of elections shall check the signatures on the petition to verify their status as electors in the district. Prior to the first date for qualifying, the supervisor of elections shall determine whether the required single-county signatures have been obtained; and she or he shall so notify the candidate. In the case of a multicounty candidate, the supervisor of elections shall check the signatures on petitions and shall, prior to the first date for qualifying for office, certify to the Department of State the number shown as registered electors of the district. The

Department of State shall determine if the required number of signatures has been obtained for multicounty candidates and shall so notify the candidate. If the required number of signatures has been obtained for the name of the candidate to be placed on the ballot, the candidate shall, during the time prescribed for qualifying for office in s. 99.061, submit a copy of the notice to, and file her or his qualification papers with, the qualifying officer and take the oath prescribed in s. 99.021.

Section 54. Subsection (1) of section 876.05, Florida Statutes, is amended to read:

876.05 Public employees; oath.—

(1) All persons who now or hereafter are employed by or who now or hereafter are on the payroll of the state, or any of its departments and agencies, subdivisions, counties, cities, school boards and districts of the free public school system of the state or counties, or institutions of higher learning, and all candidates for public office, *except candidates for federal office*, are required to take an oath before any person duly authorized to take acknowledgments of instruments for public record in the state in the following form:

I, . . . , a citizen of the State of Florida and of the United States of America, and being employed by or an officer of . . . and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

Section 55. *At the time of qualification, all write-in candidates must reside within the district represented by the office sought.*

Section 56. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 57. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect January 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to elections; amending s. 97.021, F.S.; redefining the term "third-party registration organization"; amending s. 97.0575, F.S.; revising fines applicable to violations of requirements relating to third-party voter registrations; amending s. 103.121, F.S.; revising the dates relating to the presidential preference primary; amending s. 101.75, F.S.; authorizing municipalities to move their election date by ordinance to coincide with the presidential preference primary; amending s. 101.151, F.S.; authorizing the use of ballot-on-demand technology to produce certain marksense ballots; creating s. 101.56075, F.S.; requiring all voting to be by marksense ballot; providing an exemption for voters with disabilities; requiring voter interface devices for individuals with disabilities by a specified date; amending s. 101.5612, F.S.; requiring the use of certain marksense ballots for pre-election testing; amending s. 101.591, F.S.; requiring post-election, random audits of voting systems; providing general audit procedures; mandating that audit results be reported to the Department of State; prescribing requirements for audit reports; granting rulemaking authority to the department to adopt detailed, uniform audit procedures and a standard audit reporting form; providing procedures for the purchase of new voting systems and ballot equipment and the disposition of existing touchscreen voting systems for certain counties; authorizing the Department of State to purchase optical scan voting equipment and ballot-on-demand equipment for certain counties; appropriating funds for such purpose; amending s. 97.041, F.S.; authorizing qualified persons to preregister to vote on or after receipt of a valid driver's license; amending s. 97.053, F.S.; requiring an applicant for voter registration to be notified when the application cannot be verified; providing for registration upon presentation of evidence of a driver's license number, identification card number, or the last four digits of the applicant's social security number; changing the time within which a person casting a provisional ballot may present evidence of eligibility to vote; changing the time for voter registrations to be entered into the statewide voter registration system; amending s. 99.021, F.S.; prescribing form of oath for candidates for federal office; amending s. 99.061, F.S.; prescribing times for qualifying for nomination or election; prescribing specific procedures for qualifying for special district office; providing that the filing fee of a candidate for a special

district election need not be drawn on a campaign account; amending s. 99.095, F.S.; prescribing the number of signatures required for a candidate for special district office to qualify by petition; prescribing the time for certification to the Division of Elections of certain candidates qualifying by petition; amending s. 99.096, F.S.; changing manner of candidate selection by minor political parties; repealing s. 99.0965, F.S., relating to the selection of minor party candidates; amending s. 100.041, F.S.; prescribing the time when a county commissioner is deemed elected; amending s. 100.051, F.S.; revising requirements relating to candidates' whose names must be printed on general election ballots; amending s. 100.061, F.S.; changing the date of the primary election; amending s. 100.111, F.S.; revising provisions relating to choosing political party nominees for a special election; amending s. 100.191, F.S.; revising the time for canvassing special election returns; amending s. 100.371, F.S.; requiring initiative petition forms to be signed by the constitutionally required distribution of electors; amending timeframes for verifying petition signatures; prescribing information that must be on a petition initiative form, and conditions with which the elector signing it must comply, before the form may be verified; providing procedures for revocation of a signature on a petition form; amending s. 101.043, F.S.; revising forms of identification accepted at the polls; amending s. 101.048, F.S.; changing the time within which a person casting a provisional ballot may present evidence of eligibility to vote; amending s. 101.573, F.S.; changing the time for filing precinct-level election results; requiring such results to be filed with respect to special elections; prescribing requirements for such data; amending s. 101.6103, F.S.; changing the time to begin canvassing mail ballots; amending s. 101.62, F.S.; revising the period of effectiveness of a request for an absentee ballot; revising the time for sending an absentee ballot to an overseas elector; revising time period for providing absentee ballots; amending s. 101.68, F.S.; changing the time to begin canvassing absentee ballots; amending s. 102.112, F.S.; changing the deadline for submitting county returns to the Department of State; amending s. 102.141, F.S.; requiring submission of preliminary returns in certain format by election night to the Department of State; changing the time to submit unofficial returns; amending s. 102.166, F.S.; conforming a cross-reference; amending s. 103.081, F.S.; allowing political parties to file with the Department of State names of groups associated with a party; prescribing conditions on the use of those filed names; amending s. 103.091, F.S.; revising the number of and the qualifications for state committeemen and committeewomen; changing the times for qualifying for election to a political party executive committee; amending s. 103.141, F.S.; providing that officers and members of a county executive committee may be removed from office pursuant to s. 103.161; repealing s. 103.151, F.S., relating to the removal of a state executive committee member for violation of the member's oath of office; creating s. 103.161, F.S.; providing for the removal or suspension of officers and members of a state or county executive committee for violation of the officer's or member's oath of office; prescribing procedures for such removal and restrictions after removal; amending s. 105.031, F.S.; changing the times for qualifying for school board candidates; amending s. 106.021, F.S.; revising qualifications for a campaign treasurer and deputy treasurer for a candidate or political committee; amending s. 106.04, F.S.; authorizing certain entities to collect and forward membership dues to committees of continuous existence; amending s. 106.055, F.S.; prescribing valuation method for travel on a private aircraft; amending s. 106.08, F.S.; prescribing procedures for receiving and transferring contributions made to political committees and committees of continuous existence; amending s. 106.09, F.S.; revising prohibition on making or accepting a cash contribution; amending s. 106.143, F.S.; providing disclosure requirements for political advertisements made pursuant to s. 106.021(3)(d), F.S.; amending s. 106.17, F.S.; revising who may authorize or conduct polls or surveys relating to candidates; amending s. 106.25, F.S.; revising requirements for complaints filed alleging violations of chapters 106 and 104, F.S.; revising procedures after certain complaints are filed; providing for the withdrawal of certain complaints; providing for the Florida Elections Commission to maintain a searchable database of all final orders and agency actions and providing requirements for such database; amending s. 106.35, F.S.; revising the time for the Division of Elections to distribute funds to candidates; amending s. 112.51, F.S.; providing for filling vacancies created when a municipal officer has been removed from office; repealing s. 106.37, F.S., relating to willful violations of campaign finance laws; amending s. 189.405, F.S.; revising qualification procedures for candidates for special district office; amending s. 191.005, F.S.; revising qualification procedures for candidates for independent special fire control district boards of commissioners; amending s. 582.18, F.S.; revising qualification procedures for candidates for soil and water conservation district supervisors; amending s. 876.05, F.S.; exempting can-

didates for federal office from taking the public employees' oath; requiring that all write-in candidates reside within the district of the office sought at the time of qualification; providing for severability; providing effective dates.

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

Amendment 1A (882598)(with title amendment)—On page 66, lines 16-21, delete section 56 and renumber subsequent sections.

And the title is amended as follows:

On page 73, line 6, delete that line and insert: qualification;

MOTION

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

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

Amendment 1B (021414)(with title amendment)—On page 12 between lines 29 and 30, insert:

Section 14. Section 99.012, Florida Statutes, is amended to read:

99.012 Restrictions on individuals qualifying for public office.—

(1) As used in this section:

(a) "Officer" means a person, whether elected or appointed, who has the authority to exercise the sovereign power of the state pertaining to an office recognized under the State Constitution or laws of the state. With respect to a municipality, the term "officer" means a person, whether elected or appointed, who has the authority to exercise municipal power as provided by the State Constitution, state laws, or municipal charter.

(b) "Subordinate officer" means a person who has been delegated the authority to exercise the sovereign power of the state by an officer. With respect to a municipality, subordinate officer means a person who has been delegated the authority to exercise municipal power by an officer.

(2) No person may qualify as a candidate for more than one public office, whether federal, state, district, county, or municipal, if the terms or any part thereof run concurrently with each other.

(3)(a) No officer may qualify as a candidate for another public office, whether state, district, county, or municipal, if the terms or any part thereof run concurrently with each other, without resigning from the office he or she presently holds.

(b) The resignation is irrevocable.

(c) The written resignation must be submitted at least 10 days prior to the first day of qualifying for the office he or she intends to seek.

(d) The resignation must be effective no later than the earlier of the following dates:

1. The date the officer would take office, if elected; or
2. The date the officer's successor is required to take office.

(e)1. An elected district, county, or municipal officer must submit his or her resignation to the officer before whom he or she qualified for the office he or she holds, with a copy to the Governor and the Department of State.

2. An appointed district, county, or municipal officer must submit his or her resignation to the officer or authority which appointed him or her to the office he or she holds, with a copy to the Governor and the Department of State.

3. All other officers must submit their resignations to the Governor with a copy to the Department of State.

(f)1. With regard to an elective office, the resignation creates a vacancy in office to be filled by election. Persons may qualify as candidates

for nomination and election as if the public officer's term were otherwise scheduled to expire.

2. With regard to an elective charter county office or elective municipal office, the vacancy created by the officer's resignation may be filled for that portion of the officer's unexpired term in a manner provided by the respective charter. The office is deemed vacant upon the effective date of the resignation submitted by the official in his or her letter of resignation.

(g) Any officer who submits his or her resignation, effective immediately or effective on a date prior to the date of his or her qualifying for office, may then qualify for office as a nonofficeholder, and the provisions of this subsection do not apply.

~~(4)(a) Any officer who qualifies for federal public office must resign from the office he or she presently holds if the terms or any part thereof run concurrently with each other.~~

~~(b) The resignation is irrevocable.~~

~~(c) The resignation must be submitted no later than the date upon which the officer qualifies for office.~~

~~(d) The written resignation must be effective no later than the earlier of the following dates:~~

- ~~1. The date the officer would take office, if elected; or~~
- ~~2. The date the officer's successor is required to take office.~~

~~(e)1. An elected district, county, or municipal officer must submit his or her resignation to the officer before whom he or she qualified for the office he or she holds, with a copy to the Governor and the Department of State.~~

~~2. An appointed district, county, or municipal officer must submit his or her resignation to the officer or authority which appointed him or her to the office he or she holds, with a copy to the Governor and the Department of State.~~

~~3. All other officers must submit their resignations to the Governor with a copy to the Department of State.~~

~~(f)1. The failure of an officer who qualifies for federal public office to submit a resignation pursuant to this subsection constitutes an automatic irrevocable resignation, effective immediately, from the office he or she presently holds.~~

~~2. The Department of State shall send a notice of the automatic resignation to the Governor, and in the case of a district, county, or municipal officer, a copy to:~~

~~a. The officer before whom he or she qualified if the officer held an elective office; or~~

~~b. The person or authority who appointed the officer if the officer held an appointive office.~~

~~(g) The provisions of any special act to the contrary notwithstanding, with regard to an elective office, the resignation creates a vacancy in office to be filled by election, thereby permitting persons to qualify as candidates for nomination and election as if the officer's term were otherwise scheduled to expire. With regard to an elective charter county office or elective municipal office, the vacancy created by the officer's resignation may be filled for that portion of the officer's unexpired term in a manner provided by the respective charter. The office is deemed vacant upon the effective date of the resignation submitted by the official in his or her letter of resignation.~~

(4)(5) A person who is a subordinate officer, deputy sheriff, or police officer must resign effective upon qualifying pursuant to this chapter if the person is seeking to qualify for a public office that is currently held by an officer who has authority to appoint, employ, promote, or otherwise supervise that person and who has qualified as a candidate for reelection to that office.

(5)(6) The name of any person who does not comply with this section may be removed from every ballot on which it appears when ordered by a circuit court upon the petition of an elector or the Department of State.

(6)(7) This section does not apply to:

- (a) Political party offices.
- (b) Persons serving without salary as members of an appointive board or authority.
- (c) *Persons seeking any federal public office.*

(7)(8) Nothing contained in subsections (3) and (4) relates to persons holding any federal office.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 68, line 23, immediately after the semicolon (;) insert: amending s. 99.012, F.S.; exempting persons seeking federal office from the resign-to-run law;

MOTION

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

Senator Lynn moved the following amendment to **Amendment 1** which failed:

Amendment 1C (681828)(with title amendment)—On page 3, following line 31, insert:

Section 3. Subsection (6) is added to section 99.095, Florida Statutes, to read:

99.095 Petition process in lieu of a qualifying fee and party assessment.—

(6) *If the candidate obtains at least 50 percent of the required number of signatures as set forth in this section but does not obtain 100 percent of such signatures, the candidate may pay the pro rata portion of the qualifying fee required pursuant to s. 99.092 in order to qualify.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 67, line 8, after the semicolon (;) insert: amending s. 99.095, F.S.; authorizing a candidate to pay a pro rata portion of the qualifying fee under certain conditions;

Amendment 1 as amended was adopted.

On motions by Senator Constantine, by two-thirds vote **CS for HB 537** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dawson	Lawson	Wilson
Deutch	Lynn	Wise
Diaz de la Portilla	Margolis	
Dockery	Oelrich	

Nays—2

Alexander Gaetz

RECONSIDERATION OF BILL

On motion by Senator Saunders, the Senate reconsidered the vote by which—

CS for CS for CS for SB 2054—A bill to be entitled An act relating to the Department of Environmental Protection; amending s. 258.007, F.S.; deleting a penalty for a rule violation; creating s. 258.008, F.S.; creating penalties for the violation of rules adopted under ch. 258, F.S.; and for specified activities within the boundaries of a state park; providing for fines to be deposited into the State Park Trust Fund; providing for court costs under certain circumstances; amending s. 316.212, F.S.; allowing the operation of golf carts on roads within the state park system under certain conditions; amending s. 373.4142, F.S.; providing statewide consistency for water quality standards in the Northwest Florida Water Management District; amending s. 373.414, F.S.; providing that certain variance provisions apply in the Northwest Florida Water Management District; amending s. 373.4211, F.S.; ratifying the wetland rule and amending it to include certain plant species approved by the Environmental Regulation Commission; providing for delay of the ratification until certain conditions are met; amending s. 403.067, F.S.; providing for the trading of water quality credits in the total maximum daily load program in areas that have adopted a basin action plan; providing for rules and specifying what the rules must address; amending s. 403.088, F.S.; providing for the revision of water pollution operation permits; amending s. 403.50663, F.S.; clarifying certain notice requirements; amending s. 403.50665, F.S.; providing for a local government to issue a statement of inconsistency with existing land use plans and zoning ordinances due to incompleteness of information necessary for an evaluation; amending s. 403.508, F.S.; clarifying certain hearing requirements for land use and certification hearings; amending s. 403.509, F.S.; clarifying certain provisions relating to certifications issued by the Department of Environmental Protection; amending s. 403.5113, F.S.; providing technical corrections to provisions requiring postcertification amendments and review; amending s. 403.5115, F.S.; clarifying certain public-notice requirements; amending s. 403.5252, F.S.; clarifying provisions relating to the determination of completeness of an application for an electric transmission line; amending s. 403.527, F.S.; clarifying the time under which the department or the applicant may request the cancellation of a certification hearing for a proposed transmission line; amending s. 403.5271, F.S.; clarifying the responsibilities of reviewing agencies to review the completeness of an application; amending s. 403.5317, F.S.; clarifying the provisions relating to a change in the condition of a certification; amending s. 403.5363, F.S.; providing that notice of a cancellation of a certification hearing must be within a certain time; amending s. 376.30715, F.S.; amending s. 373.459, F.S.; repealing a provision that repealed a subsection concerning financial match requirements and certain expenditure limitations for surface water protection programs; providing an effective date.

—as amended passed this day.

MOTION

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

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

Amendment 3 (513158)(with title amendment)—On page 10, line 10 through page 23, line 10, delete those lines and insert:

And the title is amended as follows:

On page 1, line 25 through page 2, line 1, delete those lines and insert: certain conditions are met;

On motions by Senator Saunders, by two-thirds vote **CS for CS for CS for SB 2054** as amended was passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Crist	Haridopolos
Alexander	Dawson	Hill
Aronberg	Deutch	Jones
Atwater	Diaz de la Portilla	Joyner
Baker	Dockery	Justice
Bennett	Fasano	King
Bullard	Gaetz	Lynn
Carlton	Garcia	Margolis
Constantine	Geller	Oelrich

Posey	Siplin	Webster
Rich	Storms	Wilson
Ring	Villalobos	Wise
Saunders		

Nays—None

Vote after roll call:

Yea—Peaden

CS for SB 900—A bill to be entitled An act relating to initiative petitions; providing a short title; amending s. 100.371, F.S.; requiring initiative petition forms to be signed by the constitutionally required distribution of electors; providing procedures for revocation of a signature on a petition form; providing an effective date.

—was read the third time by title.

MOTION

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

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

Amendment 1 (395294)(with directory and title amendments)—On page 1, lines 30 and 31, delete those lines and insert:

(3) Each signature shall be dated by the elector when made and shall be valid for a period of 4 years following such date, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the appropriate supervisor of elections for verification as to the number of registered electors whose valid signatures appear thereon. The supervisor shall promptly verify the signatures upon payment of the fee required by s. 99.097. *The supervisor shall verify that the signature on a form is valid only if the date the elector signed the form, as recorded by the elector, is no more than 30 days before the date the form is received by the supervisor of elections.* The supervisor shall promptly record each valid signature in the statewide voter registration system, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor shall retain the signature forms for at least 1 year following the election in which the issue appeared on the ballot or until the Division of Elections notifies the supervisors of elections that the committee which circulated the petition is no longer seeking to obtain ballot position.

(6) *An elector's signature on a petition form may be revoked, within 120 days after the verification of the petition form by the supervisor of elections, by submitting to the appropriate supervisor of*

And the directory clause is amended as follows:

On page 1, lines 14 and 15, delete those lines and insert:

Section 2. Subsections (1) and (3) of section 100.371, Florida Statutes, are amended, present subsection (6) of that section

And the title is amended as follows:

On page 1, line 6, after the semicolon (;) insert: prescribing a time period within which a signed petition form must be submitted to the supervisor of elections to be verified as valid;

On motions by Senator Posey, **CS for SB 900** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—27

Mr. President	Crist	Gaetz
Alexander	Dawson	Garcia
Atwater	Deutch	Geller
Baker	Diaz de la Portilla	Haridopolos
Bennett	Dockery	Jones
Constantine	Fasano	Lawson

Lynn	Rich	Villalobos
Oelrich	Saunders	Webster
Posey	Siplin	Wise
Nays—9		
Aronberg	Joyner	Ring
Bullard	Justice	Storms
Hill	Margolis	Wilson

Vote after roll call:

Yea—Carlton, King, Peaden

Yea to Nay—Deutch, Lawson

CS for SB 1920—A bill to be entitled An act relating to ballot initiatives; amending s. 100.371, F.S.; authorizing private property owners and others to prohibit or regulate activity on their property which opposes or supports ballot initiatives; providing an effective date.

—was read the third time by title.

On motions by Senator Jones, **CS for SB 1920** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—0

Vote after roll call:

Yea—Peaden

Yea to Nay—Dawson, Deutch, Geller, Lawson, Rich

CS for SB 2142—A bill to be entitled An act relating to investments of the State Board of Administration; creating the “Protecting Florida’s Investments Act”; creating s. 215.442, F.S.; providing reporting requirements for the executive director of the State Board of Administration; requiring the State Board of Administration to publish certain quarterly reports on its website; creating s. 215.473, F.S.; providing legislative findings; providing definitions; requiring the State Board of Administration to identify all companies in which public moneys are invested that are doing certain types of business in or with Sudan and Iran; requiring the board to create and maintain certain scrutinized companies lists that name all such companies; requiring the board to periodically contact all scrutinized companies and encourage them to refrain from engaging in certain types of business in or with Sudan or Iran; requiring the board to inform scrutinized companies of their status as a scrutinized company and to ask for clarification as to the nature of each company’s business activities; providing that a company may be removed from the list under certain conditions; providing for reintroduction of a company onto the list; requiring the board to divest of all publicly traded securities of a scrutinized company under certain conditions; providing exceptions to the divestment requirement; prohibiting the board from acquiring securities of scrutinized companies that have active business operations; providing exceptions to the investment prohibition; providing an additional exception from the divestment requirement and the investment prohibition to certain indirect holdings in actively managed investment funds; requiring the board to request that the managers of such investment funds consider removing scrutinized

companies from the fund or create a similar fund that excludes such companies; requiring the board to file a report with the Governor, the Legislature, and Attorney General within a specified period after creation of each scrutinized companies list; requiring the annual filing of an updated report; requiring that all such reports be made available to the public; requiring that the report include certain information; providing for the expiration of the act; requiring certain information to be included in the investment policy statement; authorizing the board to cease divesting or to reinvest in certain scrutinized companies if the value for all assets under management by the board becomes equal to or less than a specified amount; requiring the board to provide a written report to the Governor, the Legislature, and Attorney General before such reinvestment; requiring that the report contain certain information; requiring semiannual updates to such reports when applicable; providing for severability; providing an effective date.

—as amended April 26 was read the third time by title.

On motions by Senator Deutch, **CS for SB 2142** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of CS for SB 2142.

SPECIAL RECOGNITION

At the request of President Pruitt, the Senate recognized Craig McClure of the Secretary of the Senate’s Office. Mr. McClure is a recent graduate of Embry Riddle Aeronautical University and will soon be attending flight school with the United States Marine Corps.

CS for HB 509—A bill to be entitled An act relating to children’s services; creating the Children and Youth Cabinet; providing a short title; providing legislative intent; providing organization, membership, and duties and responsibilities of the cabinet; providing for an advisory board; requiring the cabinet to prepare an annual report; providing an effective date.

—as amended April 26 was read the third time by title.

On motions by Senator Rich, **CS for HB 509** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Constantine	Garcia
Alexander	Crist	Geller
Aronberg	Dawson	Haridopolos
Atwater	Deutch	Hill
Baker	Diaz de la Portilla	Jones
Bennett	Dockery	Joyner
Bullard	Fasano	Justice
Carlton	Gaetz	King

Lawson	Posey	Storms
Lynn	Rich	Villalobos
Margolis	Ring	Webster
Oelrich	Saunders	Wilson
Peaden	Siplin	Wise

Nays—None

Garcia	Lawson	Saunders
Geller	Lynn	Siplin
Haridopolos	Margolis	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Posey	Wilson
Justice	Rich	Wise
King	Ring	

Nays—None

On motion by Senator Dockery, by two-thirds vote **CS for HB 645** was withdrawn from the Committees on Education Pre-K - 12; Finance and Tax; and Education Facilities Appropriations.

On motion by Senator Dockery, the rules were waived and by two-thirds vote—

CS for HB 645—A bill to be entitled An act relating to growth management; amending s. 1013.738, F.S.; revising the eligibility criteria for the High Growth District Capital Outlay Assistance Grant Program; revising provisions for allocating funds provided by the General Appropriations Act to the Public Education Capital Outlay and Debt Service Trust Fund; providing an effective date.

—a companion measure, was substituted for **CS for SB 680** as amended and by two-thirds vote read the second time by title.

MOTION

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

Senator Dockery moved the following amendment which was adopted:

Amendment 1 (965760)—Lines 52-57, delete those lines and insert:

(c) The district must have equaled or exceeded *three times twice* the statewide average of growth in capital outlay FTE students over *the prior 3 fiscal years. Growth in any one year must be determined by calculating the increase in students over the prior year this same 4 year period.*

Senator Dockery moved the following amendment:

Amendment 2 (861386)(with title amendment)—Between lines 126 and 127, insert:

Section 2. *The sum of \$30 million is appropriated for the 2007-2008 fiscal year from nonrecurring funds, transferred pursuant to chapter 2005-290, Laws of Florida, to the Public Education Capital Outlay and Debt Service Trust Fund in the Department of Education for the High Growth County District Capital Outlay Assistance Grant Program established in s. 1013.738, Florida Statutes.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 7, after the semicolon (;) insert: providing an appropriation;

Senator Dockery moved the following amendment to **Amendment 2** which was adopted:

Amendment 2A (853104)—On page 1, line 21, delete the word “County”

Amendment 2 as amended was adopted.

On motions by Senator Dockery, by two-thirds vote **CS for HB 645** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38		
Mr. President	Bullard	Deutch
Alexander	Carlton	Diaz de la Portilla
Aronberg	Constantine	Dockery
Baker	Crist	Fasano
Bennett	Dawson	Gaetz

Consideration of **CS for SB 574** and **CS for SB 1228** was deferred.

CS for HB 139—A bill to be entitled An act relating to suicide prevention; creating s. 14.2019, F.S.; creating the Statewide Office for Suicide Prevention as a unit of the Office of Drug Control in the Executive Office of the Governor; providing the goals and objectives of the office; creating the position of statewide coordinator for the statewide office, contingent upon a specific appropriation; authorizing the Statewide Office for Suicide Prevention to seek and accept grants or funds from any source to support its operation; requiring that revenues from grants be deposited into the Grants and Donations Trust Fund within the Executive Office of the Governor; creating s. 14.20195, F.S.; creating the Suicide Prevention Coordinating Council within the Statewide Office for Suicide Prevention; providing the scope of activities for the coordinating council; authorizing the coordinating council to assemble an ad hoc committee to advise the coordinating council; providing for membership on the coordinating council; providing an appropriation and authorizing additional positions; providing an effective date.

—was read the third time by title.

On motions by Senator Lynn, **CS for HB 139** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38		
Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

On motion by Senator Wise, by two-thirds vote **CS for HB 343** was withdrawn from the Committees on Higher Education; and Higher Education Appropriations.

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

CS for HB 343—A bill to be entitled An act relating to public postsecondary need-based student financial assistance; amending s. 1009.40, F.S.; requiring state residency for a public postsecondary career education student assistance grant; revising eligibility criteria for the renewal of specified financial aid awards; creating s. 1009.505 F.S.; creating the Florida Public Postsecondary Career Education Student Assistance Grant Program; providing for program administration; defining terms; providing that grants are available to specified students in specified postsecondary career certificate programs; providing for annual grant amounts; providing eligibility criteria for career certificate students; requiring reporting by participating institutions; providing for distribution of appropriated funds; providing for transmittal of grant payments to community college presidents or district school superintendents; providing for period of eligibility; requiring participating institutions to

certify amounts disbursed to students; requiring the State Board of Education to adopt rules; providing that the program shall only be implemented to the extent funded and authorized by law; amending s. 1009.77, F.S.; revising the purpose of the Florida Work Experience Program; providing that the program is available to students in specified career education programs and educator preparation institutes; authorizing a participating institution to use up to 100 percent of its allocation for student employees within the institution and to reimburse itself for 100 percent of the student wages; lowering the percentage of student wages that must be reimbursed to employers; providing that participating postsecondary educational institutions must pay for specified preemployment expenses for students employed with public schools; requiring employers to pay specified wages; prescribing student eligibility requirements; providing for distribution of funds; requiring certification of funds disbursed to students; removing provisions that require funds appropriated for the program to be deposited in the State Student Financial Assistance Trust Fund and that specify Chief Financial Officer responsibilities; removing provision that requires program balances to be retained; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 918** as amended and by two-thirds vote read the second time by title. On motions by Senator Wise, by two-thirds vote **CS for HB 343** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

CS for SB 1732—A bill to be entitled An act relating to the Primary Care Access Network; creating two pilot programs to provide extended operating hours for the purpose of offering health care services at overcrowded clinics in the Primary Care Access Network in Orange, Pasco, Manatee, Sarasota, and DeSoto Counties; directing the Agency for Health Care Administration to establish a pilot program in Orange and Pasco Counties and a pilot program in Manatee, Sarasota, and DeSoto Counties; requiring the agency to develop procedures for operating the pilot programs; requiring the agency to submit a report with recommendations to the Governor and the Legislature by a specified date; providing an appropriation; providing an effective date.

—was read the third time by title.

On motions by Senator Webster, **CS for SB 1732** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	King
Alexander	Dockery	Lawson
Aronberg	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dawson	Joyner	Saunders
Deutch	Justice	Siplin

Storms	Webster	Wise
Villalobos	Wilson	
Nays—None		

CS for CS for HB 455—A bill to be entitled An act relating to organ and tissue donation; providing findings and intent; amending s. 765.511, F.S.; providing a definition; amending s. 765.512, F.S.; providing for donation by joining a donor registry; conforming provisions; amending s. 765.514, F.S.; providing for authorization of anatomical donations by notations on a driver's license or identification card; providing for effect on authorization of license revocation, suspension, expiration, or cancellation; providing for authorization of anatomical donation by inclusion on a donor registry; providing for authorization of donation through online access to registry; providing for rulemaking; specifying the effects of an online authorization; revising the uniform donor card; amending s. 765.515, F.S.; revising provisions relating to communication of specified information to the donor registry; providing for administration of the donor registry by a specified nonprofit corporation rather than by a state agency; revising provisions relating to registry administration; requiring an annual report; providing for verification of certain online entries; providing for voluntary contributions to the registry; revising provisions relating to payment of costs of the registry; providing for provision of current registry information to the Florida Coalition on Donation; designating the Joshua Abbott Organ and Tissue Donor Registry; providing for expiration of specified transitional provisions; amending s. 765.516, F.S.; authorizing revocation of anatomical gift by a donor through removal of his or her name from the donor registry; amending s. 765.517, F.S.; revising provisions relating to verification of a donor's consent at death; creating s. 765.5201, F.S.; providing for application of public records and meetings requirements to the Florida Coalition on Donation; amending s. 765.521, F.S.; revising provisions relating to authorization of donations as a part of the driver license or identification card process; amending s. 765.5215, F.S.; revising provisions relating to anatomical gift education programs; amending s. 765.52155, F.S.; redesignating the Florida Organ and Tissue Donor Education and Procurement Trust Fund as the Florida Organ and Tissue Procurement Trust Fund; repealing s. 765.5216, F.S., relating to the organ and tissue donor education panel; amending s. 765.522, F.S.; revising duties of hospital administrators at or near the time of death of persons who are suitable candidates for organ or tissue donation; providing specified immunity to the Florida Coalition on Donation; revising authority for designation of organ procurement organizations; amending s. 765.544, F.S.; revising provisions relating to the use of the Florida Organ and Tissue Procurement Trust Fund; providing for use of specified funds for certain transitional and notification purposes; revising disposition of certain fees, penalties, and surcharges; providing for expiration of specified provisions; amending s. 215.20, F.S.; deleting a specified trust fund from provisions relating to a trust fund surcharge; amending ss. 320.08047 and 322.08, F.S.; revising distribution of specified voluntary contributions for organ and tissue donor education; providing an appropriation; providing an effective date.

—was read the third time by title.

On motions by Senator Oelrich, **CS for CS for HB 455** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	King
Alexander	Dockery	Lawson
Aronberg	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dawson	Joyner	Saunders
Deutch	Justice	Siplin

Storms	Webster	Wise
Villalobos	Wilson	

Nays—None

National Guard, was activated and served in Afghanistan from July, 2005 to July, 2006, and is a member of the Senate Sergeant at Arms staff.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Dockery, by two-thirds vote **SB 854** was withdrawn from the Committee on Banking and Insurance; and **SB 566** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Saunders, by two-thirds vote **CS for CS for SB 2136** was withdrawn from the Committee on Education Facilities Appropriations; **SB 2304** was withdrawn from the Committee on Governmental Operations; and **CS for CS for SB 542** was withdrawn from the Committee on Health and Human Services Appropriations.

On motion by Senator Constantine, by two-thirds vote **CS for SB 594** and **CS for CS for SB 2754** were withdrawn from the Committee on General Government Appropriations; **CS for SB 622** was withdrawn from the Committee on Governmental Operations; and **CS for SB 1736** and **CS for SB 2700** were withdrawn from the Committee on Transportation and Economic Development Appropriations.

On motion by Senator King, by two-thirds vote **CS for SB 324** was withdrawn from the Committee on Community Affairs; **CS for SB 2484**, **CS for SB 2702** and **SB 2782** were withdrawn from the Committee on General Government Appropriations; and **CS for SB 1778** was withdrawn from the Committee on Transportation and Economic Development Appropriations.

RECESS

On motion by Senator King, the Senate recessed at 12:55 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—35:

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Geller	Posey
Baker	Haridopolos	Rich
Bennett	Hill	Ring
Bullard	Jones	Saunders
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

CLAIM BILL CALENDAR

CS for SB 32—A bill to be entitled An act relating to the South Broward Hospital District; providing for the relief of Sharon Jurgrau, wife of Mark Jurgrau, deceased, and Megan Jurgrau, minor child of Mark and Sharon Jurgrau; providing for an appropriation to compensate them for the death of Mark Jurgrau as a result of the negligence of the South Broward Hospital District; providing conditions for payment; providing an effective date.

—was read the second time by title. On motions by Senator Fasano, by two-thirds vote **CS for SB 32** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—16

Mr. President	Fasano	Lynn
Bullard	Hill	Oelrich
Deutch	Justice	Peaden
Diaz de la Portilla	Lawson	Posey

CS for SB 420—A bill to be entitled An act relating to state retirement programs; amending s. 121.051, F.S.; revising conditions for membership in the State Community College System Optional Retirement Program; amending s. 121.35, F.S.; revising conditions for membership in the State University System Optional Retirement Program; authorizing transfer of funds for specified earned credit between the Florida Retirement System and such optional retirement program; authorizing a transfer of membership between the State University System Optional Retirement Program and the Florida Retirement System; amending s. 121.4501, F.S.; redefining the term “eligible employee” for purposes of the Public Employee Optional Retirement Program; revising conditions for participation in the Public Employee Optional Retirement Program; providing an effective date.

—was read the third time by title.

On motions by Senator Lawson, **CS for SB 420** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Peaden
Alexander	Gaetz	Posey
Aronberg	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Oelrich	

Nays—None

Vote after roll call:

Yea—Margolis

CS for SB 1710—A bill to be entitled An act relating to academic fees; amending s. 1009.01, F.S.; defining the term “tuition differential”; amending s. 1009.24, F.S.; authorizing a university to transfer revenues from certain fees to a university direct-support organization; limiting the purposes for which such revenues may be used; limiting the amount that may be transferred; authorizing the Board of Governors of the State University System to establish uniform undergraduate tuition differentials; providing certain conditions for the tuition differentials; amending s. 1009.98, F.S.; authorizing the Florida Prepaid College Board to provide advance payment contracts for tuition differentials for a specified number of undergraduate semester hours; providing an effective date.

—was read the third time by title.

On motion by Senator Oelrich, further consideration of **CS for SB 1710** was deferred.

Consideration of **CS for SB 1020**, **CS for SJR 3034**, **CS for SB 1022** and **CS for CS for SB 560** was deferred.

THE PRESIDENT PRESIDING

SPECIAL RECOGNITION

President Pruitt presented the President’s Medallion of Excellence Award to John A. Barron IV of Tallahassee. Mr. Barron, of the Army

Rich	Saunders	Storms
Ring		
Nays—7		

Baker	Dockery	King
Bennett	Gaetz	Webster
Constantine		

Vote after roll call:

Yea—Crist, Haridopolos, Jones, Joyner, Villalobos

Nay—Carlton, Garcia, Wise

CS for SB 38—A bill to be entitled An act relating to the North Broward Hospital District; providing for the relief of Adam Susser, a minor, by and through his parents and natural guardians, Judith Susser and Gary Susser; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the North Broward Hospital District, d.b.a. Coral Springs Medical Center; providing conditions for payment; providing an effective date.

—was read the second time by title.

Senator Jones moved the following amendment:

Amendment 1 (364520)—On page 4, line 27, delete “payable to” and insert: *to purchase an annuity benefiting*

On motion by Senator Jones, further consideration of **CS for SB 38** with pending **Amendment 1 (364520)** was deferred.

CS for SB 44—A bill to be entitled An act relating to the City of Fernandina Beach; providing for the relief of Verlin C. Weaver for injuries sustained as a result of the negligence of an employee of the City of Fernandina Beach; providing for an appropriation; providing for a limitation on payment of fees and costs; providing an effective date.

—was read the second time by title. On motions by Senator Fasano, by two-thirds vote **CS for SB 44** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—21

Mr. President	Hill	Posey
Bullard	Joyner	Rich
Crist	Justice	Ring
Deutch	Lawson	Saunders
Diaz de la Portilla	Lynn	Siplin
Fasano	Oelrich	Storms
Haridopolos	Peaden	Wilson

Nays—9

Alexander	Constantine	King
Baker	Dockery	Webster
Bennett	Gaetz	Wise

Vote after roll call:

Yea—Jones, Villalobos

Nay—Carlton, Garcia

CS for SB 48—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Claudia Kautz, mother of decedent Diana M. Kautz, and Jeffrey Kautz, father of the decedent, for injuries and damages sustained as a result of the negligence of an employee of the District School Board of Palm Beach County; providing for an appropriation; providing for attorney’s fees and costs; limiting fees and costs; providing an effective date.

—was read the second time by title.

Senator Wise moved the following amendment which was adopted:

Amendment 1 (650790)(with title amendment)—On page 2, line 22, delete “\$900,000” and insert: *\$835,000*

And the title is amended as follows:

On page 2, between lines 11 and 12, insert:

WHEREAS, the claimants received, from sources other than the school district, a total of \$65,000 related to the claim, and

On motions by Senator Aronberg, by two-thirds vote **CS for SB 48** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—25

Mr. President	Haridopolos	Posey
Alexander	Hill	Rich
Aronberg	Jones	Ring
Bullard	Joyner	Saunders
Crist	Justice	Siplin
Deutch	Lawson	Storms
Diaz de la Portilla	Lynn	Wilson
Fasano	Margolis	
Geller	Peaden	

Nays—9

Baker	Dockery	Oelrich
Bennett	Gaetz	Webster
Constantine	King	Wise

Vote after roll call:

Yea—Villalobos

Nay—Carlton, Garcia

The Senate resumed consideration of—

CS for SB 38—A bill to be entitled An act relating to the North Broward Hospital District; providing for the relief of Adam Susser, a minor, by and through his parents and natural guardians, Judith Susser and Gary Susser; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the North Broward Hospital District, d.b.a. Coral Springs Medical Center; providing conditions for payment; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (364520)** by Senator Jones was withdrawn.

MOTION

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

Senator Jones moved the following amendment which was adopted:

Amendment 2 (021732)—On page 4, delete line 27 and insert: *district, to purchase an annuity benefiting the special needs trust established for*

On motions by Senator Jones, by two-thirds vote **CS for SB 38** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—27

Mr. President	Garcia	Margolis
Alexander	Geller	Peaden
Aronberg	Haridopolos	Posey
Bullard	Hill	Rich
Constantine	Jones	Ring
Crist	Joyner	Saunders
Deutch	Justice	Storms
Diaz de la Portilla	Lawson	Villalobos
Fasano	Lynn	Wilson

Nays—8

Baker	Gaetz	Webster
Bennett	King	Wise
Dockery	Oelrich	

Vote after roll call:

Nay—Carlton

CS for SB 56—A bill to be entitled An act for the relief of Katherine Selva, a minor, by and through Maria Alcobar, as parent and natural guardian of Katherine Selva, by the City of Miami; providing for an appropriation to compensate her for injuries sustained as a result of the negligence of the City of Miami; providing conditions for payment; providing an effective date.

—was read the second time by title. On motions by Senator Margolis, by two-thirds vote **CS for SB 56** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—25

Mr. President	Haridopolos	Peaden
Alexander	Hill	Posey
Aronberg	Jones	Rich
Bullard	Joyner	Ring
Deutch	Justice	Saunders
Diaz de la Portilla	Lawson	Storms
Fasano	Lynn	Villalobos
Garcia	Margolis	
Geller	Oelrich	

Nays—8

Baker	Dockery	Webster
Bennett	Gaetz	Wise
Constantine	King	

Vote after roll call:

Yea—Crist, Wilson

Nay—Carlton

SB 70—A bill to be entitled An act for the relief of Anthony John Angelillo by Miami-Dade County; authorizing and directing Miami-Dade County to compensate Anthony John Angelillo for injuries suffered due to the negligence of Miami-Dade County; providing an effective date.

—was read the second time by title.

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

Amendment 1 (455402)—On page 3, between lines 2 and 3, insert:

Section 3. *This award is intended to provide the sole compensation for any and all present and future claims arising out of the factual situation in connection with the injury to Anthony John Angelillo. Not more than 25 percent of the award may be paid by the claimant for attorney's fees, lobbying fees, costs, or other similar expenses.*

(Redesignate subsequent sections.)

On motions by Senator Posey, by two-thirds vote **SB 70** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—28

Mr. President	Dawson	Hill
Alexander	Deutch	Jones
Aronberg	Diaz de la Portilla	Joyner
Bullard	Fasano	Justice
Constantine	Geller	Lawson
Crist	Haridopolos	Lynn

Margolis	Ring	Storms
Peaden	Saunders	Villalobos
Posey	Siplin	Wilson
Rich		

Nays—9

Baker	Gaetz	Oelrich
Bennett	Garcia	Webster
Dockery	King	Wise

Vote after roll call:

Nay—Carlton

CS for SB 72—A bill to be entitled An act relating to the Palm Beach County Sheriff's Office; providing for the relief of Jennifer Graham to compensate her for injuries sustained as a result of the negligence of a deputy sheriff of the sheriff's office; providing for an appropriation; providing limitations on fees; requiring the purchase of a structured annuity and structured educational fund; providing an effective date.

—was read the second time by title. On motions by Senator Aronberg, by two-thirds vote **CS for SB 72** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—26

Mr. President	Haridopolos	Peaden
Alexander	Hill	Posey
Aronberg	Jones	Rich
Bullard	Joyner	Ring
Crist	Justice	Siplin
Deutch	Lawson	Storms
Diaz de la Portilla	Lynn	Villalobos
Fasano	Margolis	Wilson
Geller	Oelrich	

Nays—9

Baker	Dockery	King
Bennett	Gaetz	Webster
Constantine	Garcia	Wise

Vote after roll call:

Yea—Saunders

Nay—Carlton

CS for SB 74—A bill to be entitled An act relating to the Pinellas County School Board; providing for the compensation of the estate of Brooke Ingoldsby and for the relief of Michelle Allen, parent and natural guardian of Brooke Ingoldsby, a minor, for the wrongful death of her daughter, which was due in part to the negligent failure of a county school bus driver to secure the safety of children who exit the school bus; providing for the payment of damages; providing legislative intent; limiting fees and costs; providing an effective date.

—was read the second time by title.

Senator Wise moved the following amendment which failed:

Amendment 1 (055006)(with title amendment)—On page 3, line 21, delete "\$1.2 million" and insert: \$1,059,738

And the title is amended as follows:

On page 1, line 15 through page 3, line 9, delete those lines and insert:

WHEREAS, on February 11, 2005, Brooke Ingoldsby, an 8-year-old third grader at James B. Sanderlin Elementary School, was being transported home on a school bus of the Pinellas County School Board which was driven by a substitute bus driver employed by the school board, and

WHEREAS, rather than depositing Brooke, who was the last student on the bus, at her appointed bus stop where her grandmother was wait-

ing for her, the substitute bus driver dropped Brooke off on the corner of 90th Avenue and the east side of 9th Street North, a busy thoroughfare in St. Petersburg, Pinellas County, Florida, and

WHEREAS, Brooke was subsequently struck by a southbound sports utility vehicle in the west-most southbound lane of 9th Street North and was pronounced dead 3 hours later at Bayfront Medical Center, and

WHEREAS, Brooke suffered multisystem trauma, head injury, bilateral closed femur injury, a closed right humerus fracture, and a severe abrasion to her right waistline, and

WHEREAS, the Pinellas County School Board admitted liability for Brooke's death and agreed to pay the total sum of \$2.5 million for the damages and losses sustained by the estate of Brooke Ingoldsby and for the losses suffered by Brooke's mother, Michelle Allen, and

WHEREAS, judgment was entered in the amount of \$2.5 million, including \$200,000 in damages and losses sustained by the estate of Brooke Ingoldsby and \$2.3 million for the losses suffered by Brooke's mother, Michelle Allen, and

WHEREAS, the school district has paid \$100,000 to the estate and \$100,000 for the losses suffered by Michelle Allen, thus exhausting the limits of the waiver of sovereign immunity, and

WHEREAS, the school district maintained a liability policy of \$1 million, which was paid to Michelle Allen, and

WHEREAS, Michelle Allen has received \$140,262 from insurance policies and other collateral sources, NOW, THEREFORE,

On motions by Senator Wilson, by two-thirds vote **CS for SB 74** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—31

Mr. President	Garcia	Peaden
Alexander	Geller	Posey
Aronberg	Haridopolos	Rich
Baker	Hill	Ring
Bullard	Jones	Saunders
Constantine	Joyner	Siplin
Crist	Justice	Storms
Dawson	Lawson	Villalobos
Deutch	Lynn	Wilson
Diaz de la Portilla	Margolis	
Fasano	Oelrich	

Nays—6

Bennett	Gaetz	Webster
Dockery	King	Wise

Vote after roll call:

Nay—Carlton

CS for SB 76—A bill to be entitled An act relating to the City of Miami Beach; providing for the relief of Claude Tunc and Martine Tunc, individually and as co-personal representatives of the estate of Stephanie Tunc, deceased, and Sandrine Tunc, for the death of Stephanie Tunc and injuries and damages sustained by Sandrine Tunc due to the negligence of the City of Miami Beach; providing for an appropriation; providing for the use of such funds; providing for attorney's fees and costs; providing a limitation on fees; providing an effective date.

—was read the second time by title. On motions by Senator Margolis, by two-thirds vote **CS for SB 76** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—29

Mr. President	Constantine	Diaz de la Portilla
Alexander	Crist	Fasano
Aronberg	Dawson	Geller
Bullard	Deutch	Haridopolos

Hill	Margolis	Saunders
Jones	Oelrich	Siplin
Joyner	Peaden	Storms
Justice	Posey	Villalobos
Lawson	Rich	Wilson
Lynn	Ring	

Nays—8

Baker	Gaetz	Webster
Bennett	Garcia	Wise
Dockery	King	

Vote after roll call:

Nay—Carlton

CS for SB 80—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Norka Laureiro; authorizing and directing Miami-Dade County to compensate Norka Laureiro for injuries sustained as a result of a collision caused by a Miami-Dade County bus; providing for a limitation on payment of fees and costs; providing an effective date.

—was read the second time by title. On motions by Senator Diaz de la Portilla, by two-thirds vote **CS for SB 80** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—27

Mr. President	Geller	Peaden
Alexander	Haridopolos	Posey
Aronberg	Jones	Rich
Bullard	Joyner	Ring
Crist	Justice	Saunders
Dawson	Lawson	Siplin
Deutch	Lynn	Storms
Diaz de la Portilla	Margolis	Villalobos
Fasano	Oelrich	Wilson

Nays—9

Baker	Dockery	King
Bennett	Gaetz	Webster
Constantine	Garcia	Wise

Vote after roll call:

Nay—Carlton

CS for SB 486—A bill to be entitled An act relating to the City of Tallahassee; providing for the relief of Sheryl D. Allen and George F. Allen, her husband; providing for an appropriation to compensate them for injuries and damages sustained as a result of an accident involving Sheryl D. Allen and an employee of the City of Tallahassee; providing for a limitation on payment of fees and costs; providing an effective date.

—was read the second time by title. On motions by Senator Oelrich, by two-thirds vote **CS for SB 486** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—29

Mr. President	Geller	Peaden
Alexander	Haridopolos	Posey
Aronberg	Hill	Rich
Bullard	Jones	Ring
Constantine	Joyner	Saunders
Crist	Justice	Siplin
Dawson	Lawson	Storms
Deutch	Lynn	Villalobos
Diaz de la Portilla	Margolis	Wilson
Fasano	Oelrich	

Nays—8

Baker	Gaetz	Webster
Bennett	Garcia	Wise
Dockery	King	

Vote after roll call:

Nay—Carlton

CS for SB 504—A bill to be entitled An act relating to Memorial Healthcare System of Broward, Inc., d/b/a Memorial Regional Hospital; providing for the relief of Shakima Brown and Janaria Miller, her minor child, to compensate them for injuries sustained by Janaria Miller as a result of the negligence of employees of the hospital; providing an appropriation; providing conditions for payment; providing an effective date.

—was read the second time by title. On motions by Senator Deutch, by two-thirds vote **CS for SB 504** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—28

Mr. President	Garcia	Posey
Alexander	Geller	Rich
Aronberg	Haridopolos	Ring
Bullard	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Lawson	Villalobos
Deutch	Lynn	Wilson
Diaz de la Portilla	Oelrich	
Fasano	Peaden	

Nays—7

Baker	Gaetz	Webster
Bennett	King	Wise
Dockery		

Vote after roll call:

Nay—Carlton

CS for SB 2968—A bill to be entitled An act relating to the Department of Juvenile Justice; providing an appropriation to compensate Gina Jones and Robert Anderson, parents and natural guardians of Martin Lee Anderson, jointly, for the wrongful death of Martin Lee Anderson, which was due to the negligence of the Bay County Sheriff's Office; providing conditions for payment; providing for attorney's fees and lobbying fees; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Bennett moved the following amendments which were adopted:

Amendment 1 (260100)—In title, on page 1, line 13 through page 2, line 27, delete those lines.

Amendment 2 (305480)—On page 3, lines 1 and 2, delete those lines and redesignate subsequent sections.

On motions by Senator Hill, by two-thirds vote **CS for SB 2968** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—29

Mr. President	Bullard	Deutch
Alexander	Crist	Dockery
Aronberg	Dawson	Fasano

Gaetz	Justice	Saunders
Garcia	Lawson	Siplin
Geller	Lynn	Storms
Haridopolos	Margolis	Villalobos
Hill	Peaden	Wilson
Jones	Posey	Wise
Joyner	Rich	

Nays—5

Baker	Carlton	Webster
Bennett	Diaz de la Portilla	

Vote after roll call:

Yea—Constantine, Ring

Nay—Oelrich

Yea to Nay—Gaetz, Haridopolos, Posey

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Atwater on CS for SB 2968. If he were present he would vote "yea" and I would vote "nay".

James E. "Jim" King, Jr. 8th District

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Honorable Ken Pruitt
President, The Florida Senate
April 27, 2007

Dear President Pruitt:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Barbers' Board Appointee: Troup, Carl	10/31/2010
Board of Trustees of Brevard Community College Appointees: Sansom, Dixie N. Theriac, James S.	05/31/2010 05/31/2010
Board of Trustees of Broward Community College Appointees: Douglass, Georgette Sosa Williams, Levi G.	05/31/2010 05/31/2010
Board of Trustees of Edison College Appointees: Gorvine, Enid S. Houghton, William Mahlan, Jr. Klein, David M. Parrish, Randall T., Jr.	05/31/2010 05/31/2010 05/31/2010 05/31/2008
Board of Trustees of Florida Community College at Jacksonville Appointees: Asay, Linda H. Smith, Emily B. Weinstein, Michael B.	05/31/2010 05/31/2010 05/31/2010
Board of Trustees of Gulf Coast Community College Appointees: Cramer, William Cato, Jr. Isler, Charles S. III Myers, Stephen Carlton Sumner, William C.	05/31/2010 05/31/2007 05/31/2010 05/31/2010
Board of Trustees of Lake-Sumter Community College Appointee: Pruitt, William	05/31/2010
Board of Trustees of Miami-Dade College Appointees: Canton, Mikki Leon, Benjamin III	05/31/2010 05/31/2010

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Villamil, Marielena A.	05/31/2009	Board of Directors, Enterprise Florida, Inc. Appointees: Bense, Allan G. Rodriguez, Henry	07/01/2010 07/01/2010
Board of Trustees of Okaloosa-Walton College Appointees: Wells, Esteena K. Wilkerson, Henry Wesley	05/31/2010 05/31/2010	The following executive appointment was referred to the Senate Committee on Community Affairs and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:	
Board of Trustees of Palm Beach Community College Appointee: Kirby, Kenneth B.	05/31/2010	<i>Office and Appointment</i>	
Board of Trustees of Polk Community College Appointee: Ross, Cynthia Hartley	05/31/2010	Secretary of Community Affairs Appointee: Pelham, Thomas G.	<i>For Term Ending</i> Pleasure of Governor
Board of Trustees of St. Petersburg College Appointees: Gibbons, Deveron M. Johnston, W. Richard	05/31/2010 05/31/2010	The following executive appointments were referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:	
Board of Trustees of Santa Fe Community College Appointees: Bradley, Winston J. Brashear, Glenna F.	05/31/2010 05/31/2010	<i>For Term Ending</i>	
Board of Trustees of Seminole Community College Appointees: Dorworth, Christopher E. Greer, Lisa Michelle	05/31/2010 05/31/2010	Secretary of Corrections Appointee: McDonough, James R.	Pleasure of Governor
Commission on Ethics Appointee: Forchilli, Cheryl	06/30/2008	Secretary of Juvenile Justice Appointee: McNeil, Walter A.	Pleasure of Governor
Governor's Mansion Commission Appointee: Stipanovich, Mary Ellen	09/30/2010	Executive Director of Department of Law Enforcement Appointee: Bailey, Gerald M.	Pleasure of Governor and Cabinet
Board of Medicine Appointees: Beebe, John W. Chizner, Michael A. Lage, Onelia G. Patrowicz, Tully C. Rosenberg, Steven Thomas, George	10/31/2009 10/31/2010 10/31/2010 10/31/2010 10/31/2010 10/31/2010	Parole Commission Appointee: David, Monica	06/30/2012
Florida Prepaid College Board Appointee: Sjostrom, Erin B.	06/30/2009	The following executive appointments were referred to the Senate Committee on Education Pre-K - 12 and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:	
Florida Transportation Commission Appointee: Marchena, Marcos R.	09/30/2010	<i>For Term Ending</i>	
The following executive appointment was referred to the Senate Committee on Banking and Insurance and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:		<i>Office and Appointment</i>	
<i>Office and Appointment</i>		State Board of Education Appointee: Fair, Talmadge Willard	12/31/2010
Executive Director, Citizens Property Insurance Corporation Appointee: Wallace, Scott R.	<i>For Term Ending</i> Pleasure of The Board	The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:	
The following executive appointments were referred to the Senate Committee on Children, Families, and Elder Affairs and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:		<i>For Term Ending</i>	
<i>Office and Appointment</i>		Secretary of Environmental Protection Appointee: Sole, Michael W.	Pleasure of Governor
Secretary of Children and Family Services Appointee: Butterworth, Robert A.	<i>For Term Ending</i> Pleasure of Governor	Fish and Wildlife Conservation Commission Appointee: Barreto, Rodney L.	08/01/2011
Secretary of Elderly Affairs Appointee: Beach, E. Douglas	<i>For Term Ending</i> Pleasure of Governor	The following executive appointments were referred to the Senate Committee on Governmental Operations and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:	
The following executive appointments were referred to the Senate Committee on Commerce and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:		<i>For Term Ending</i>	
<i>Office and Appointment</i>		Secretary of Management Services Appointee: South, Linda H.	Pleasure of Governor

Office and Appointment
 Secretary of State
 Appointee: Browning, Kurt S.
 For Term Ending
 Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Health Policy and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:

Office and Appointment
 Secretary of Health Care Administration
 Appointee: Agwunobi, Andrew
 For Term Ending
 Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Health Regulation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:

Office and Appointment
 Secretary of Health
 Appointee: Viamonte Ros, Ana Maria
 For Term Ending
 Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:

Office and Appointment
 Board of Governors
 Appointee: Stavros, Gus A. 01/06/2013
 Board of Trustees, Florida A & M University
 Appointee: McWilliams, Spurgeon W. 01/06/2011
 Board of Trustees, Florida Atlantic University
 Appointee: Grossman, Armand 01/06/2011
 Board of Trustees, University of Central Florida
 Appointee: Walsh, Richard J. 01/06/2011
 Board of Trustees, Florida State University
 Appointees: Busch-Transou, Susan 01/06/2008
 Haggard, William Andrew 01/06/2010
 Board of Trustees, New College of Florida
 Appointees: Dupree, Jerome 01/06/2011
 Misemer, Kenneth R. 01/06/2011
 Peterson, John Robert 01/06/2008
 Board of Trustees, University of Florida
 Appointee: O'Connell, Cynthia F. 01/06/2011
 Board of Trustees, University of North Florida
 Appointee: Hicks, Ann Curry 01/06/2011
 Board of Trustees, University of South Florida
 Appointee: Sembler, Debbie Nye 01/06/2011
 Board of Trustees, University of West Florida
 Appointee: Clark, Kenneth C. 01/06/2011

The following executive appointment was referred to the Senate Committee on Military Affairs and Domestic Security and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:

Office and Appointment
 Executive Director of Department of Veterans' Affairs
 For Term Ending

Office and Appointment
 Appointee: Collins, LeRoy, Jr.
 For Term Ending
 Pleasure of Governor and Cabinet

The following executive appointments were referred to the Senate Committee on Regulated Industries and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:

Office and Appointment
 Secretary of Business and Professional Regulation
 Appointee: Benson, Anna Holliday
 For Term Ending
 Pleasure of Governor

Secretary of the Department of the Lottery
 Appointee: DiBenigno, Leo C.
 Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 (1) of the Rules of the Florida Senate:

Office and Appointment
 Secretary of Transportation
 Appointee: Kopelousos, Stephanie C.
 For Term Ending
 Pleasure of Governor

As required by Rule 12.7(1), the committees held public hearings at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend pursuant to the authority granted in Article IV, Section 6 (a), Florida Constitution, and in accordance with Section 114.05(1), Florida Statutes:

- (1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;
- (2) Senate action on said appointments be taken prior to the adjournment of the 2007 Regular Session; and
- (3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully Submitted,
 Lee Constantine, Chair

On motion by Senator Constantine, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee.

The vote was:
 Yeas—38

Mr. President	Diaz de la Portilla	King
Alexander	Dockery	Lawson
Aronberg	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dawson	Joyner	Saunders
Deutch	Justice	Siplin

Storms Webster Wise
 Villalobos Wilson
 Nays—None

CONSENT CALENDAR

CS for SB 108—A bill to be entitled An act relating to the Florida Partnership for Minority and Underrepresented Student Achievement; amending s. 1007.35, F.S.; specifying that the partnership must cooperate with school districts to identify minority and underrepresented students for participation in AP or other advanced courses; specifying that the partnership must cooperate with school districts to provide information to parents regarding AP and other advanced courses; specifying that the partnership must provide information regarding Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) or Preliminary ACT (PLAN) administration; providing an effective date.

—was read the second time by title. On motions by Senator Hill, by two-thirds vote **CS for SB 108** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Peaden
Aronberg	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Deutch	King	Webster
Diaz de la Portilla	Lawson	Wilson
Dockery	Lynn	Wise
Fasano	Margolis	

Nays—None

Vote after roll call:

Yea—Baker, Constantine, Posey

CS for CS for SB 362—A bill to be entitled An act relating to adoption benefits; creating s. 409.1663, F.S.; expanding a monetary benefit paid to employees who adopt special needs children and children in the custody of the state to include employees of state universities, community colleges, and school districts; clarifying that the availability of the monetary benefit is subject to an appropriation; authorizing the Department of Children and Family Services to administer the program; providing for rules; providing for parental leave; providing for application and eligibility procedures; providing for the transfer of funding from the department to nonstate public entities; providing that application for the monetary benefit will begin with the 2008 open enrollment period and the availability of the benefit will begin in the 2008-2009 fiscal year; repealing ss. 110.152, 110.15201, 215.32(2)(c)5., and 373.6065, F.S., relating to the present program that provides a monetary benefit only to state agency employees and employees of a water management district and that is administered by the Department of Management Services; requiring the Department of Management Services to transfer specified resources related to adoptions to the Department of Children and Family Services; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 362** to **CS for HB 803**.

Pending further consideration of **CS for CS for SB 362** as amended, on motion by Senator Wilson, by two-thirds vote **CS for HB 803** was withdrawn from the Committees on Governmental Operations; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

On motion by Senator Wilson—

CS for HB 803—A bill to be entitled An act relating to adoption benefits; creating s. 409.1663, F.S.; providing definitions; expanding a monetary benefit paid to employees who adopt special needs children and children in the custody of the state to include employees of state universities, community colleges, and school districts; clarifying that the availability of the monetary benefit is subject to an appropriation; authorizing the Department of Children and Family Services to administer the program; providing for rules; providing for parental leave; providing for application and eligibility procedures; providing for the transfer of funding from the department to nonstate public entities; providing that application for the monetary benefit will begin with the 2008 open enrollment period and the availability of the benefit will begin in the 2008-2009 fiscal year; repealing ss. 110.152, 110.15201, 215.32(2)(c)5., and 373.6065, F.S., relating to the present program that provides a monetary benefit only to state agency employees and employees of a water management district and that is administered by the Department of Management Services; transferring resources allocated to provide adoption benefits for state employees from the Department of Management Services to the Department of Children and Family Services by a type two transfer; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 362** as amended and by two-thirds vote read the second time by title. On motions by Senator Wilson, by two-thirds vote **CS for HB 803** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Peaden
Alexander	Garcia	Posey
Aronberg	Geller	Rich
Baker	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	
Fasano	Oelrich	

Nays—None

Vote after roll call:

Yea—Bennett

Votes Recorded:

April 27, 2007: Yea—Atwater

On motion by Senator Fasano, by two-thirds vote **HB 431** was withdrawn from the Committees on Transportation; Community Affairs; and Transportation and Economic Development Appropriations.

On motion by Senator Fasano—

HB 431—A bill to be entitled An act relating to tourist-oriented directional sign program; creating s. 479.262, F.S.; providing for the establishment of the program in rural areas; specifying criteria for the program; permitting establishment of fees to offset costs; providing that a directional sign site or location does not create a proprietary or compensable interest; providing termination of directional sign permits and change in location sites; providing for adoption of rules; providing an effective date.

—a companion measure, was substituted for **SB 882** and read the second time by title. On motions by Senator Fasano, by two-thirds vote **HB 431** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Baker	Carlton
Alexander	Bennett	Constantine
Aronberg	Bullard	Crist

Dawson	Jones	Rich
Deutch	Joyner	Ring
Diaz de la Portilla	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wilson
Haridopolos	Peaden	Wise
Hill	Posey	

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

On motion by Senator Joyner, by two-thirds vote **CS for HB 1441** was withdrawn from the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Criminal and Civil Justice Appropriations.

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

CS for HB 1441—A bill to be entitled An act relating to female genital mutilation; creating s. 794.08, F.S.; defining the term “female genital mutilation”; providing that a person who commits female genital mutilation upon a female younger than 18 years of age commits a felony of the first degree; providing that a person who removes, or causes or permits the removal of, a female younger than 18 years of age from this state for the purpose of committing female genital mutilation commits a felony of the second degree; providing that a parent or guardian who consents to the female genital mutilation of his or her female child who is younger than 18 years of age commits a felony of the third degree; providing that the act does not apply with respect to certain medical procedures that are conducted by health professionals to preserve the health of the female; providing that consent is not a defense to the offense of female genital mutilation; amending s. 921.0022, F.S.; creating felony classifications in the offense severity ranking chart of the Criminal Punishment Code for specified violations; providing an effective date.

—a companion measure, was substituted for **CS for SB 894** and by two-thirds vote read the second time by title. On motions by Senator Joyner, by two-thirds vote **CS for HB 1441** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

On motion by Senator Fasano, by two-thirds vote **HB 1199** was withdrawn from the Committees on Agriculture; Finance and Tax; and General Government Appropriations.

On motion by Senator Fasano—

HB 1199—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; expanding the exemption

for electricity used for certain agricultural purposes; providing an effective date.

—a companion measure, was substituted for **SB 1416** and read the second time by title. On motions by Senator Fasano, by two-thirds vote **HB 1199** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

CS for SB 1472—A bill to be entitled An act relating to beaches and shores; amending s. 161.021, F.S.; amending a definition; amending s. 161.085, F.S.; restricting the use of geotextile containers for emergency rigid coastal armoring; providing permitting for geotextile containers; providing conditions; providing for evaluation by the Department of Environmental Protection; amending s. 161.141, F.S.; providing additional legislative intent; creating s. 161.144, F.S.; providing for the development and maintenance of an inventory of identified offshore sand sources by the department as part of its comprehensive long-term beach management plan; providing for public review of maps of offshore sand sources; providing for boards of county commissioners of coastal counties adjacent to sand sources proposed for use outside of the region or subregion to be notified and given adequate opportunity to comment during a project’s planning and permitting stages; providing for the inclusion of certain information in the department’s annual funding request; providing an effective date.

—was read the second time by title. On motions by Senator Saunders, by two-thirds vote **CS for SB 1472** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

CS for CS for SB 1624—A bill to be entitled An act relating to owner-controlled insurance programs for public construction projects; amending s. 255.0517, F.S.; redefining the term “specified contracted work

site”; defining the term “capital infrastructure improvement program”; requiring purchase of owner-controlled insurance in connection with a public construction project if the program maintains completed operations insurance coverage for no less than 10 years; exempting contractors and subcontractors working under a construction project insured by an owner-controlled insurance program from individually satisfying eligibility requirements for large deductible workers’ compensation rating plans; authorizing such contractors and subcontractors to combine their payrolls under the owner-controlled insurance program for workers’ compensation coverage as long as the minimum deductible for the project is \$100,000 or more and the standard estimated premium is \$500,000 or more; providing for a capital infrastructure improvement program; providing limitations concerning when the construction of a single public agency service, system, facility, or other public work may be combined with the construction of another public agency service, system, facility, or other public work to satisfy the amount specified for the purchase requirements; providing an exemption for any project of a public agency which is committed to an ongoing owner-controlled insurance program issued before October 1, 2007; providing an effective date.

—was read the second time by title. On motions by Senator Bennett, by two-thirds vote **CS for CS for SB 1624** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

SB 1760—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; authorizing a custodian of public records to designate another officer or employee of the agency to permit the inspection and copying of public records; requiring that the designee be identified; requiring custodians of public records and their designees to respond to requests to inspect and copy public records promptly and in good faith; amending ss. 497.140, 627.311, and 627.351, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

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

Amendment 1 (535462)—On page 2, lines 2 and 3, delete those lines and insert: *designee must acknowledge requests to inspect or copy records promptly and respond to such requests in good faith. A good faith response includes*

On motions by Senator Justice, by two-thirds vote **SB 1760** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Carlton	Diaz de la Portilla
Alexander	Constantine	Dockery
Aronberg	Crist	Fasano
Baker	Dawson	Gaetz
Bullard	Deutch	Garcia

Geller	Lawson	Saunders
Haridopolos	Lynn	Siplin
Hill	Margolis	Storms
Jones	Oelrich	Villalobos
Joyner	Peaden	Webster
Justice	Posey	Wilson
King	Ring	Wise

Nays—None

Vote after roll call:

Yea—Bennett

Votes Recorded:

April 27, 2007: Yea—Atwater

CS for CS for SB 2162—A bill to be entitled An act relating to local government funding; amending s. 318.18, F.S.; prescribing authorized uses of surplus funds generated from a bond debt-service surcharge; providing exception requirements for a county to impose both of the surcharges under s. 318.18(13)(a) and (b); deleting a specific ending date for a surcharge imposed by certain local governments on penalties for noncriminal infractions; amending s. 938.19, F.S.; providing that a court cost applies to juvenile delinquency proceedings; amending s. 939.185, F.S.; deleting a specific ending date for a surcharge imposed by certain local governments on penalties for noncriminal violations and applying such surcharges to delinquency proceedings; providing an effective date.

—was read the second time by title.

Senator Villalobos moved the following amendment which was adopted:

Amendment 1 (023084)(with title amendment)—On page 1, line 22 through page 3, line 26, delete those lines and insert:

Section 1. Subsection (14) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of civil penalties.—The penalties required for a non-criminal disposition pursuant to s. 318.14 are as follows:

And the title is amended as follows:

On page 1, lines 3-8, delete those lines and insert: amending s. 318.18, F.S.; deleting a specific ending date for a

On motions by Senator Villalobos, by two-thirds vote **CS for CS for SB 2162** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Peaden
Alexander	Garcia	Posey
Aronberg	Geller	Rich
Baker	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	
Fasano	Oelrich	

Nays—None

Vote after roll call:

Yea—Bennett

Votes Recorded:

April 27, 2007: Yea—Atwater

SB 2224—A bill to be entitled An act relating to authorized investments for local governments; amending s. 218.415, F.S.; allowing local governments to invest surplus public funds in rated or unrated bonds, notes, or instruments backed by the full faith and credit of the government of Israel; providing an effective date.

—was read the second time by title. On motions by Senator Rich, by two-thirds vote **SB 2224** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

CS for CS for SB 2260—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; deleting the designation of Secretary of Health and including the designation of State Surgeon General as the head of the Department of Health; providing requirements for the position; providing duties for the State Surgeon General; conforming references; amending s. 381.0605, F.S.; clarifying that the Surgeon General referred to in s. 381.0605, F.S., is the Surgeon General of the United States; requiring the Division of Statutory Revision of the Office of Legislative Services to change references to the Secretary of Health to the Surgeon General within the Florida Statutes; providing an effective date.

—was read the second time by title. On motions by Senator Peaden, by two-thirds vote **CS for CS for SB 2260** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

On motion by Senator Crist, by two-thirds vote **CS for HB 1161** was withdrawn from the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

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

CS for HB 1161—A bill to be entitled An act relating to high school work experience; creating s. 1003.496, F.S.; authorizing each district school board to adopt policies and procedures for a High School to Business Career Enhancement Program through which student internships may be offered in each school district; providing internship requirements; providing for the number of internships employers may offer; requiring the background screening of employees or contracted personnel of employers participating in the program; clarifying that employment of a student intern is not employment for purposes of unemployment compensation; providing rulemaking authority; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2458** and by two-thirds vote read the second time by title. On motions by Senator Crist, by two-thirds vote **CS for HB 1161** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

CS for CS for SB 2858—A bill to be entitled An act relating to chiropractic medicine; amending s. 460.406, F.S.; providing that the Board of Chiropractic Medicine may require certain applicants to take the National Board of Chiropractic Examiners Special Purposes Examination for Chiropractic or its equivalent; providing requirements for students relating to licensure as a chiropractic physician by examination; amending s. 460.4062, F.S.; revising provisions relating to chiropractic medicine faculty certificates; amending s. 460.4165, F.S.; revising conditions under which a certified chiropractic physician's assistant may perform services; revising provisions relating to certified chiropractic physician's assistant licensure application; restricting the place of practice of certified chiropractic physician's assistants performing services under indirect supervision; creating s. 460.4167, F.S.; providing requirements for proprietorships owned by persons other than licensed chiropractic physicians; providing prohibitions; providing penalties; providing a purpose; amending s. 460.408, F.S.; requiring a specified number of contact classroom hours of continuing education; providing effective dates.

—was read the second time by title. On motions by Senator Lynn, by two-thirds vote **CS for CS for SB 2858** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Hill
Alexander	Deutch	Jones
Aronberg	Diaz de la Portilla	Joyner
Baker	Dockery	Justice
Bennett	Fasano	King
Bullard	Gaetz	Lawson
Carlton	Garcia	Lynn
Constantine	Geller	Margolis
Crist	Haridopolos	Oelrich

Peaden	Saunders	Webster
Posey	Siplin	Wilson
Rich	Storms	Wise
Ring	Villalobos	

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

SB 2912—A bill to be entitled An act relating to Old Cutler Road in the Town of Cutler Bay; authorizing the expenditure of public funds for the alteration of Old Cutler Road; requiring the approval of the Department of State; providing an effective date.

—was read the second time by title. On motions by Senator Bullard, by two-thirds vote **SB 2912** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Posey

Votes Recorded:

April 27, 2007: Yea—Atwater

MOTION

On motion by Senator Lawson, the House was requested to return **HB 9**.

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

BILLS ON THIRD READING

CS for HB 449—A bill to be entitled An act relating to criminal offenses; amending s. 810.02, F.S.; providing enhanced penalties for burglaries of authorized emergency vehicles; providing enhanced penalties for specified burglaries that are committed during a state of emergency declared by the Governor and facilitated by conditions arising from the emergency; prohibiting the release of a person arrested for committing a burglary during such a state of emergency until that person appears before a magistrate at a first-appearance hearing; requiring that a felony burglary committed during a state of emergency declared by the Governor be reclassified one level above the current ranking of the offense committed; amending s. 812.014, F.S.; providing enhanced penalties for the theft of certain law enforcement equipment taken from authorized emergency vehicles; providing enhanced penalties for the theft of certain property stolen during a state of emergency declared by the Governor and facilitated by conditions arising from the emergency; requiring that a felony theft committed during such a state of emergency be reclassified one level above the current ranking of the offense committed; amending s. 921.0022, F.S.; ranking newly created offenses in the offense severity ranking chart; providing an effective date.

—was read the third time by title.

On motions by Senator Aronberg, **CS for HB 449** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Peaden
Alexander	Garcia	Posey
Aronberg	Geller	Rich
Baker	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	
Fasano	Oelrich	

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

The Senate resumed consideration of—

CS for SB 1710—A bill to be entitled An act relating to academic fees; amending s. 1009.01, F.S.; defining the term “tuition differential”; amending s. 1009.24, F.S.; authorizing a university to transfer revenues from certain fees to a university direct-support organization; limiting the purposes for which such revenues may be used; limiting the amount that may be transferred; authorizing the Board of Governors of the State University System to establish uniform undergraduate tuition differentials; providing certain conditions for the tuition differentials; amending s. 1009.98, F.S.; authorizing the Florida Prepaid College Board to provide advance payment contracts for tuition differentials for a specified number of undergraduate semester hours; providing an effective date.

—which was previously considered this day.

MOTION

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

Senator Wilson moved the following amendment:

Amendment 1 (581510)—On page 3, line 12, delete “*may not*” and insert: *shall*

On motion by Senator Oelrich, further consideration of **CS for SB 1710** with pending **Amendment 1 (581510)** was deferred.

The Senate resumed consideration of—

CS for CS for SB 2836—A bill to be entitled An act relating to the Florida Building Commission; requiring the commission to review the requirements in the National Electrical Code which relate to bonding and grounding systems for swimming pools; authorizing the commission to adopt a rule for bonding and grounding which is an alternative to that of the National Electrical Code; providing legislative intent relating to retrofitting buildings to prevent hurricane and storm damage; directing the commission to consider the costs and benefits of any mitigation techniques before adoption of a rule; requiring the commission to develop and adopt within the Florida Building Code appropriate mitigation techniques to use to retrofit buildings constructed before the code was implemented; requiring the commission to make certain determinations before eliminating gravel and stone roofing systems; amending s. 468.609, F.S.; increasing the number of days a newly employed person can be a plan examiner or building inspector without certification; amending s. 553.73, F.S.; authorizing the commission to approve certain amendments to the code; amending s. 553.775, F.S.; providing that, upon

written application by substantially affected persons, the Florida Building Commission must issue, or cause to be issued, a formal interpretation of the code; amending s. 553.791, F.S.; defining terms; requiring that certain forms be signed at the completion of a required inspection; requiring that a deficiency notice be posted at the job site whenever an element is found to be not in conformance with the building code or the permitting documents; providing for corrective actions; prohibiting the charging of certain fees; amending s. 553.841, F.S.; providing legislative intent regarding education and outreach for understanding the Florida Building Code; requiring the Department of Community Affairs to administer a compliance and mitigation program; requiring that the compliance and mitigation program be provided by a private, nonprofit corporation under contract with the department; requiring the department to consider certain criteria when selecting the corporation; requiring the commission to provide certain courses to accredit persons subject to the building code; authorizing the commission to adopt rules; amending s. 553.842, F.S.; providing for certification of products; authorizing the commission to impose penalties for violation of the product validation process; amending s. 633.081, F.S.; deleting the requirement that a certified firesafety inspector be a resident of Florida; requiring that a firesafety inspector be 18 years of age or older; establishing grounds under which an inspector's license may be suspended or revoked; amending s. 633.521, F.S.; providing for provisional permits for inspectors of certain fire protection systems; providing a time limitation for such permits; amending s. 633.537, F.S.; revising continuing education requirements; requiring the commission to review certain modifications recommended by the commission's technical advisory committee; authorizing the commission to adopt or modify the modifications in response to public comments; contingent upon appropriations, directing the commission to conduct a study to evaluate certain specified activities related to mitigation of property loss; requiring the commission to deliver a report to the Governor and others by a specified date; providing for the content of the report; authorizing the commission to adopt provisions preserving the use of gravel roof systems; directing the commission to work with others to review the Florida Energy Code and to compare that code to other energy efficiency codes; requiring the commission to deliver a report to the Legislature by a specified date; providing appropriations; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (864068)** by Senator Posey was adopted by two-thirds vote.

Senator Posey moved the following amendment:

Amendment 2 (180330)(with title amendment)—On page 26, between lines 24 and 25, insert:

Section 10. Paragraph (a) of subsection (6) of section 627.351, Florida Statutes, as amended by section 21 of chapter 2007-1, Laws of Florida, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(a)1. The Legislature finds that actual and threatened catastrophic losses to property in this state from hurricanes have caused insurers to be unwilling or unable to provide property insurance coverage to the extent sought and needed. It is in the public interest and a public purpose to assist in assuring that property in the state is insured so as to facilitate the remediation, reconstruction, and replacement of damaged or destroyed property in order to reduce or avoid the negative effects otherwise resulting to the public health, safety, and welfare; to the economy of the state; and to the revenues of the state and local governments needed to provide for the public welfare. It is necessary, therefore, to provide property insurance to applicants who are in good faith entitled to procure insurance through the voluntary market but are unable to do so. The Legislature intends by this subsection that property insurance be provided and that it continues, as long as necessary, through an entity organized to achieve efficiencies and economies, while providing service to policyholders, applicants, and agents that is no less than the quality generally provided in the voluntary market, all toward the achievement of the foregoing public purposes. Because it is essential for the corporation to have the maximum financial resources to pay claims following a catastrophic hurricane, it is the intent of the Legislature that the income of the corporation be exempt from federal income taxation and that interest on the debt obligations issued by the corporation be exempt from federal income taxation.

2. The Residential Property and Casualty Joint Underwriting Association originally created by this statute shall be known, as of July 1, 2002, as the Citizens Property Insurance Corporation. The corporation shall provide insurance for residential and commercial property, for applicants who are in good faith entitled, but are unable, to procure insurance through the voluntary market. The corporation shall operate pursuant to a plan of operation approved by order of the Financial Services Commission. The plan is subject to continuous review by the commission. The commission may, by order, withdraw approval of all or part of a plan if the commission determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan. The corporation shall continue to operate pursuant to the plan of operation approved by the Office of Insurance Regulation until October 1, 2006. For the purposes of this subsection, residential coverage includes both personal lines residential coverage, which consists of the type of coverage provided by homeowner's, mobile home owner's, dwelling, tenant's, condominium unit owner's, and similar policies, and commercial lines residential coverage, which consists of the type of coverage provided by condominium association, apartment building, and similar policies.

3. For the purposes of this subsection, the term "homestead property" means:

a. Property that has been granted a homestead exemption under chapter 196;

b. Property for which the owner has a current, written lease with a renter for a term of at least 7 months and for which the dwelling is insured by the corporation for \$200,000 or less;

c. An owner-occupied mobile home or manufactured home, as defined in s. 320.01, which is permanently affixed to real property, is owned by a Florida resident, and has been granted a homestead exemption under chapter 196 or, if the owner does not own the real property, the owner certifies that the mobile home or manufactured home is his or her principal place of residence;

d. Tenant's coverage;

e. Commercial lines residential property; or

f. Any county, district, or municipal hospital; a hospital licensed by any not-for-profit corporation qualified under s. 501(c)(3) of the United States Internal Revenue Code; or a continuing care retirement community that is certified under chapter 651 and that receives an exemption from ad valorem taxes under chapter 196.

4. For the purposes of this subsection, the term "nonhomestead property" means property that is not homestead property.

5. Effective July 1, 2008, a personal lines residential structure that has a dwelling replacement cost of \$1 million or more, or a single condominium unit that has a combined dwelling and content replacement cost of \$1 million or more is not eligible for coverage by the corporation. Such dwellings insured by the corporation on June 30, 2008, may continue to be covered by the corporation until the end of the policy term. However, such dwellings that are insured by the corporation and become ineligible for coverage due to the provisions of this subparagraph may reapply and obtain coverage in the high-risk account and be considered "nonhomestead property" if the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agents have made their best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers. If such conditions are met, the dwelling may be insured by the corporation for up to 3 years, after which time the dwelling is ineligible for coverage. The office shall approve the method used by the corporation for valuing the dwelling replacement cost for the purposes of this subparagraph. If a policyholder is insured by the corporation prior to being determined to be ineligible pursuant to this subparagraph and such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.

6. For properties constructed on or after January 1, 2009, the corporation may not insure any property located within 2,500 feet landward of the coastal construction control line created pursuant to s. 161.053

unless the property meets the requirements of the code-plus building standards developed by the Florida Building Commission.

7. It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It also is intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

8. Effective January 1, 2009, a personal lines residential structure that is located in the "wind-borne debris region," as defined in s. 1609.2, International Building Code (2006), and that has a just valuation for purposes of ad valorem taxation of \$300,000 or more is not eligible for coverage by the corporation unless the structure has shutters, impact-resistant glass, or such other approved opening protections as required under the Florida Building Code for a newly constructed residential structure in that area.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 25, after the first semicolon (;) insert: amending s. 627.351, F.S.; requiring that a residential structure located in a wind-borne debris region have certain opening protections required under the Florida Building Code in order to be eligible for coverage by the Citizens Property Insurance Corporation;

On motion by Senator Constantine, further consideration of CS for CS for SB 2836 with pending Amendment 2 (180330) was deferred.

The Senate resumed consideration of—

CS for SB 1710—A bill to be entitled An act relating to academic fees; amending s. 1009.01, F.S.; defining the term "tuition differential"; amending s. 1009.24, F.S.; authorizing a university to transfer revenues from certain fees to a university direct-support organization; limiting the purposes for which such revenues may be used; limiting the amount that may be transferred; authorizing the Board of Governors of the State University System to establish uniform undergraduate tuition differentials; providing certain conditions for the tuition differentials; amending s. 1009.98, F.S.; authorizing the Florida Prepaid College Board to provide advance payment contracts for tuition differentials for a specified number of undergraduate semester hours; providing an effective date.

—which was previously considered this day. Pending Amendment 1 (581510) by Senator Wilson was withdrawn.

MOTION

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

Senator Constantine moved the following amendment which failed to receive the required two-thirds vote:

Amendment 2 (631362)—On page 3, lines 1-8, delete those lines and insert: universities that meet the criteria under s. 1004.635(3)(a)4. but do not otherwise qualify for Funding Level 1. However, the board shall ensure that the maximum tuition differential it establishes for universities meeting the Funding Level 1 criteria is at least 30 percent greater than the maximum tuition differential the board establishes for universities that meet the criteria under s. 1004.635(3)(a)4. but do not otherwise qualify for Funding Level 1. The tuition differential is subject to the following conditions:

On motion by Senator Oelrich, CS for SB 1710 was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Bullard	Diaz de la Portilla
Alexander	Carlton	Dockery
Baker	Dawson	Fasano
Bennett	Deutch	Gaetz

Garcia	Oelrich	Villalobos
Geller	Peaden	Webster
Haridopolos	Rich	Wilson
Lawson	Ring	Wise
Lynn	Saunders	
Margolis	Siplin	

Nays—10

Aronberg	Jones	King
Constantine	Joyner	Posey
Crist	Justice	Storms
Hill		

The Senate resumed consideration of—

CS for CS for SB 2836—A bill to be entitled An act relating to the Florida Building Commission; requiring the commission to review the requirements in the National Electrical Code which relate to bonding and grounding systems for swimming pools; authorizing the commission to adopt a rule for bonding and grounding which is an alternative to that of the National Electrical Code; providing legislative intent relating to retrofitting buildings to prevent hurricane and storm damage; directing the commission to consider the costs and benefits of any mitigation techniques before adoption of a rule; requiring the commission to develop and adopt within the Florida Building Code appropriate mitigation techniques to use to retrofit buildings constructed before the code was implemented; requiring the commission to make certain determinations before eliminating gravel and stone roofing systems; amending s. 468.609, F.S.; increasing the number of days a newly employed person can be a plan examiner or building inspector without certification; amending s. 553.73, F.S.; authorizing the commission to approve certain amendments to the code; amending s. 553.775, F.S.; providing that, upon written application by substantially affected persons, the Florida Building Commission must issue, or cause to be issued, a formal interpretation of the code; amending s. 553.791, F.S.; defining terms; requiring that certain forms be signed at the completion of a required inspection; requiring that a deficiency notice be posted at the job site whenever an element is found to be not in conformance with the building code or the permitting documents; providing for corrective actions; prohibiting the charging of certain fees; amending s. 553.841, F.S.; providing legislative intent regarding education and outreach for understanding the Florida Building Code; requiring the Department of Community Affairs to administer a compliance and mitigation program; requiring that the compliance and mitigation program be provided by a private, nonprofit corporation under contract with the department; requiring the department to consider certain criteria when selecting the corporation; requiring the commission to provide certain courses to accredit persons subject to the building code; authorizing the commission to adopt rules; amending s. 553.842, F.S.; providing for certification of products; authorizing the commission to impose penalties for violation of the product validation process; amending s. 633.081, F.S.; deleting the requirement that a certified firesafety inspector be a resident of Florida; requiring that a firesafety inspector be 18 years of age or older; establishing grounds under which an inspector's license may be suspended or revoked; amending s. 633.521, F.S.; providing for provisional permits for inspectors of certain fire protection systems; providing a time limitation for such permits; amending s. 633.537, F.S.; revising continuing education requirements; requiring the commission to review certain modifications recommended by the commission's technical advisory committee; authorizing the commission to adopt or modify the modifications in response to public comments; contingent upon appropriations, directing the commission to conduct a study to evaluate certain specified activities related to mitigation of property loss; requiring the commission to deliver a report to the Governor and others by a specified date; providing for the content of the report; authorizing the commission to adopt provisions preserving the use of gravel roof systems; directing the commission to work with others to review the Florida Energy Code and to compare that code to other energy efficiency codes; requiring the commission to deliver a report to the Legislature by a specified date; providing appropriations; providing an effective date.

—which was previously considered and amended this day with pending Amendment 2 (180330) by Senator Posey.

On motion by Senator Posey, the Senate reconsidered Amendment 1 (864068). Amendment 1 was adopted by two-thirds vote. The ques-

tion recurred on pending **Amendment 2 (180330)**. **Amendment 2** failed to receive the required two-thirds vote.

Senator Posey moved the following amendments which were adopted by two-thirds vote:

Amendment 3 (654022)(with title amendment)—On page 32, lines 7-29, delete those lines and insert:

Section 14. *It is the intent of the Legislature that scientifically valid and actuarially sound windstorm mitigation rate factors, premium discounts, and differentials be provided to residential and commercial property insurance policyholders. In order to ensure the validity of such factors, the Office of Insurance Regulation, in consultation with the Department of Community Affairs and the Florida Building Commission, shall conduct or cause to be conducted one or more wind-loss mitigation studies, subject to appropriation of funds by the Legislature for this purpose. The studies shall evaluate the windstorm loss relativities for construction features, including, but not limited to, those that enhance roof strength, roof-covering performance, roof-to-wall strength, wall-to-floor-to-foundation strength, opening protections, and window, door, and skylight strength. The studies shall include residential property, including single-family and multifamily homes, mobile homes, and condominiums, and commercial nonresidential property. The studies shall include, but need not be limited to, an analysis of loss data from the 2004 and 2005 hurricanes. The findings of the studies shall be reported to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Chief Financial Officer, and the Commissioner of Insurance Regulation by January 1, 2008, with regard to residential property, and by March 1, 2008, with regard to commercial nonresidential property.*

And the title is amended as follows:

On page 3, lines 11-17, delete those lines and insert: appropriations, requiring the Office of Insurance Regulation, in consultation with the Department of Community Affairs and the Florida Building Commission, to conduct wind-loss mitigation studies; providing requirements for the studies; requiring a report to the Governor, the Legislature, the Chief Financial Officer, and the Commissioner of Insurance Regulation; authorizing the commission to adopt

Amendment 4 (481024)(with title amendment)—On page 33, lines 22-26, delete those lines and renumber subsequent section.

And the title is amended as follows:

On page 3, delete line 24 and insert: providing an appropriation; providing an

On motions by Senator Constantine, **CS for CS for SB 2836** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Justice	Storms
Crist	King	Webster
Dawson	Lawson	Wilson
Deutch	Lynn	Wise
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Joyner

Votes Recorded:

April 27, 2007: Yea—Atwater

On motion by Senator Bennett, by two-thirds vote **CS for CS for HB 919** was withdrawn from the Committees on Communications and Public Utilities; and General Government Appropriations.

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

CS for CS for HB 919—A bill to be entitled An act relating to emergency communications systems; amending s. 365.171, F.S.; redesignating the Florida Emergency Telephone Act as the “Florida Emergency Communications Number E911 State Plan Act”; providing legislative intent; redefining the term “office” to mean the Technology Program within the Department of Management Services; revising the duties of the office regarding the state E911 system plan; revising provisions for content of the plan; designating the secretary as the director of the statewide emergency communications number E911 system; removing a provision authorizing the director to employ certain persons; directing the Public Service Commission to adopt rules relating to coin-free 911 calls to be followed by the telecommunications industry; requiring approval of the office for establishing or expanding an emergency communications number E911 system; removing a provision for existing emergency telephone service; authorizing the secretary of the department to apply for and accept federal funding assistance; removing provisions relating to imposition and collection of the 911 fee and to the indemnification of local telephone companies; removing a penalty for reporting false information that may result in an emergency response; amending s. 365.172, F.S.; redesignating the Wireless Emergency Communications Act as the “Emergency Communications Number E911 Act”; providing legislative intent; revising definitions; providing for administration of the fees collected; redesignating the Wireless 911 Board as the E911 Board; revising membership, powers, duties, and responsibilities of the board; redesignating the Wireless E911 Fee as the E911 Fee; requiring a study relating to collecting the fee on the sale of prepaid wireless service; revising provisions for use of revenue collected; providing for certain disbursements; providing for rates and collection from consumers of voice communications services; providing for the authorized use of the fees collected; providing for indemnification and limitation of liability for local exchange carriers; providing penalties for the misuse of the E911 system; exempting prepaid calling arrangements from application of specified provisions relating to gift certificates and credit memos; authorizing additional positions and providing appropriations; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1198** and read the second time by title. On motions by Senator Bennett, by two-thirds vote **CS for CS for HB 919** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Baker	Geller	Posey
Bennett	Haridopolos	Rich
Bullard	Hill	Ring
Carlton	Jones	Saunders
Constantine	Joyner	Siplin
Crist	Justice	Storms
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

On motion by Senator Bennett, by two-thirds vote **CS for CS for HB 921** was withdrawn from the Committees on Communications and Public Utilities; and General Government Appropriations.

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

CS for CS for HB 921—A bill to be entitled An act relating to wireless communications funds; amending s. 365.173, F.S.; redesignating the Wireless Emergency Telephone System Fund as the “Emergency Communications Number E911 System Fund”; requiring that all revenues

derived from a fee levied by a county on local exchange subscribers be paid into the State Treasury by a specified date and that the moneys be accounted for in a special fund; providing a methodology for the distribution of the funds; requiring counties to return money to the fund under certain circumstances; requiring a wireless provider to submit sworn invoices in order to support claims for reimbursement of allowable costs; requiring that funds in the E911 system fund on a specified date be returned to wireless providers for costs incurred before a specified date; providing procedures for reimbursement; requiring the Auditor General to annually audit the fund; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1200** and read the second time by title. On motions by Senator Bennett, by two-thirds vote **CS for CS for HB 921** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Baker	Geller	Posey
Bennett	Haridopolos	Rich
Bullard	Hill	Ring
Carlton	Jones	Saunders
Constantine	Joyner	Siplin
Crist	Justice	Storms
Dawson	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

Votes Recorded:

April 27, 2007: Yea—Atwater

CS for CS for HB 529—A bill to be entitled An act relating to regulation of communications media technology services; providing a short title; amending s. 202.11, F.S.; providing a definition; amending s. 202.24, F.S.; prohibiting counties and municipalities from negotiating terms and conditions relating to cable and video services; deleting authorization to negotiate; revising application to existing ordinances or franchise agreements; amending s. 337.401, F.S.; deleting authorization for counties and municipalities to award cable service franchises and a restriction that cable service companies not operate without such a franchise; amending s. 337.4061, F.S.; revising definitions; creating ss. 610.102, 610.103, 610.104, 610.105, 610.106, 610.107, 610.108, 610.109, 610.112, 610.113, 610.114, 610.115, 610.116, 610.117, and 620.118, F.S.; designating the Department of State as the authorizing authority; providing definitions; requiring state authorization to provide cable and video services; providing requirements and procedures; providing for fees; providing duties and responsibilities of the Department of State; providing application procedures and requirements; providing for issuing certificates of franchise authority; providing eligibility requirements and criteria for a certificate; providing for amending a certificate; providing for transferability of certificates; providing for termination of certificates under certain circumstances; providing for challenging a department rejection of an application; providing that the department shall function in a ministerial capacity for certain purposes; providing for an application form; providing for an application fee; requiring certain information updates; providing for a processing fee; providing for cancellation upon notice that information updates and processing fees are not received; providing for an opportunity to cure; providing for transfer of such fees to the Department of Agriculture and Consumer Services; requiring the department to maintain a separate account for cable franchise revenues; providing for fees to the Department of State for certain activities; prohibiting the department from imposing additional taxes, fees, or charges on a cable or video service provider to issue a certificate; prohibiting imposing buildout, construction, and deployment requirements on a certificateholder; requiring certificateholders to make cable and video service available at certain public buildings under certain circumstances; imposing certain customer service requirements on cable service providers; requiring the Department of Agriculture and Consumer Services to receive customer service complaints; requiring provision of public, educational, and governmental access channels or capacity equivalent; providing criteria, requirements, and procedures; provid-

ing exceptions; providing responsibilities of municipalities and counties relating to such channels; providing for enforcement; providing requirements for and limitations on counties and municipalities relating to access to public right-of-way; prohibiting counties and municipalities from imposing additional requirements on certificateholders; authorizing counties and municipalities to require permits of certificateholders relating to public right-of-way; providing permit criteria and requirements; prohibiting discrimination among cable and video service subscribers; providing for enforcement; providing requirements for a request for enforcement; requiring the department to engage certain parties in nonbinding mediation under certain circumstances; providing for filing a complaint in court; providing for a period of time to cure certain noncompliance; providing for an award of costs and attorney's fees; providing for determinations of violations; providing for enforcement of compliance by certificateholders; providing requirements for cable service providers under certain court orders; providing for payment by nonincumbent certificateholders of certain amounts to municipalities and counties under certain circumstances; providing procedures for payment of such amounts; providing service requirements for nonincumbent certificateholders; authorizing separate statement of certain fees on a customer bill; preserving certain rights of nonincumbent service providers; authorizing certificateholders to intervene in certain court actions; requiring the Office of Program Policy Analysis and Government Accountability to report to the Legislature on the status of competition in the cable and video service industry; providing report requirements; requiring the Department of Agriculture and Consumer Services to make recommendations to the Legislature; providing duties of the Department of State; providing severability; amending ss. 350.81 and 364.0361, F.S.; conforming cross-references; amending s. 364.051, F.S.; deleting provisions under which certain telecommunications companies may elect alternative regulation; amending s. 364.10, F.S.; providing requirements for enrolling certain persons in the Lifeline service program; requiring the Public Service Commission to adopt rules by a specified date; requiring the commission, the Department of Children and Family Services, and the Office of Public Counsel to enter into a memorandum of understanding of respective duties under the Lifeline service program; amending s. 364.163, F.S.; providing for a cap on certain switched network access service rates; deleting a time period in which intrastate access rates are capped; prohibiting interexchange telecommunications companies from instituting any intrastate connection fee; deleting provisions for regulatory oversight of intrastate access rates; amending s. 364.385, F.S.; providing for continuing effect of certain rates and charges approved by the Public Service Commission; providing for an exception; repealing s. 166.046, F.S., relating to definitions and minimum standards for cable television franchises imposed upon counties and municipalities; repealing s. 364.164, F.S., relating to competitive market enhancement; providing an effective date.

—as amended April 26 was read the third time by title.

On motion by Senator Constantine, the Senate reconsidered **Amendment 10 (141014)** which was adopted April 26.

MOTION

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

Senator Bennett moved the following amendment to **Amendment 10** which failed to receive the required two-thirds vote:

Amendment 10A (902092)(with title amendment)—On page 1, line 24, following the word “Statutes,” insert: *regarding permitting*
And the title is amended as follows:

On page 2, line 7, following the word “with” insert: *specified provisions of*

The question recurred on **Amendment 10 (141014)**. **Amendment 10** failed to received the required two-thirds vote.

On motion by Senator Bennett, the Senate reconsidered **Amendment 11 (181662)** which was adopted April 26.

Senator Bennett moved the following amendment to **Amendment 11** which was adopted by two-thirds vote:

Amendment 11A (734540)—On page 6, line 4, delete “(3)” and insert: “(2)”

Amendment 11 as amended was adopted by two-thirds vote.

On motion by Senator Storms, the Senate reconsidered **Amendment 1 (825438)** which was adopted April 26.

Senator Storms moved the following amendment to **Amendment 1** which was adopted by two-thirds vote:

Amendment 1A (704476)—On page 2, line 9, after the period, insert: *Upon the expiration of the incumbent cable or video service provider's franchise agreement or within 6 months after a request of a municipality or county for an additional channel or its functional equivalent, a public access channel or capacity equivalent may be furnished after a polling of all subscribers of the cable or video service in their service area. The usage of one public access channel or capacity equivalent shall be determined by a majority of all the provider's subscribers in the jurisdiction. The video or cable service subscribers must be provided with clear, plain language informing them that public access is unfiltered programming and may contain adult content.*

MOTION

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

Senator Bennett moved the following amendments to **Amendment 1** which were adopted by two-thirds vote:

Amendment 1B (961878)—On page 3, lines 5-7, delete those lines and insert: *municipality or county for at least 10 hours per day on average, of which at least 5 hours must be nonrepeat programming and as measured on a quarterly basis. Static information screens or*

Amendment 1C (614248)—On page 4, line 21, delete the word "provider" and insert: *certificateholder*

Amendment 1 as amended was adopted by two-thirds vote.

On motion by Senator Fasano, the Senate reconsidered **Amendment 5 (642104)** which was adopted April 26.

MOTION

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

Senators Fasano and Aronberg offered the following amendment to **Amendment 5** which was moved by Senator Fasano and adopted by two-thirds vote:

Amendment 5A (524822)(with title amendment)—On page 3, lines 4-25, delete those lines and insert:

(5) *Enforcement of this section shall be as provided in ss. 501.206, 501.207 and 501.211.*

(6) *Upon a finding by a court of competent jurisdiction that a provider has engaged in unlawful discrimination, the provider shall have a reasonable period of time as specified by the court to cure such noncompliance. If the provider fails to cure within a specified time, any provider who is found to have violated subsection (2) is liable for a civil penalty of not more than \$15,000 for each such violation. For purposes of this section, discrimination against each individual member of a group constitutes a separate violation and is subject to a separate penalty as set forth in this section.*

And the title is amended as follows:

On page 4, lines 8-10, delete those lines and insert: *cure; providing criteria; providing for enforcement; providing remedies;*

Amendment 5 as amended was adopted by two-thirds vote.

On motion by Senator Constantine, the Senate reconsidered **Amendment 10 (141014)** which was previously considered and failed to receive the required two-thirds vote. **Amendment 10** failed to received the required two-thirds vote.

On motions by Senator Bennett, **CS for CS for HB 529** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—30

Mr. President	Dockery	Lynn
Alexander	Fasano	Margolis
Aronberg	Gaetz	Oelrich
Baker	Geller	Peaden
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Crist	Jones	Storms
Dawson	Joyner	Webster
Deutch	King	Wilson
Diaz de la Portilla	Lawson	Wise

Nays—3

Carlton	Constantine	Posey
---------	-------------	-------

Votes Recorded:

April 27, 2007: Yea—Atwater

SPECIAL ORDER CALENDAR, continued

By Senator Hill—

CS for SB 110—A bill to be entitled An act relating to health insurance; creating the "Senator Les Miller Act"; creating ss. 627.64091 and 627.6418, F.S., and amending s. 641.31, F.S.; requiring that health insurance policies, group health insurance policies, and health maintenance contracts provide coverage for an annual screening for prostate cancer for men of a specified age or older; providing requirements for the screening; providing that coverage for prostate cancer screening does not limit diagnostic benefits otherwise allowed under the policy; amending s. 627.6515, F.S.; providing for the benefit requirement to apply to a group health insurance policy issued or delivered outside the state; providing a finding that the act fulfills an important state interest; providing for application of the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 110** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg, by two-thirds vote **HB 63** was withdrawn from the Committees on Children, Families, and Elder Affairs; Commerce; Governmental Operations; and Rules.

On motion by Senator Aronberg—

HB 63—A bill to be entitled An act relating to public records; amending s. 741.313, F.S.; providing an exemption from public records requirements for certain records and time sheets submitted to an agency, as defined in ch. 119, F.S., by an employee who is a victim of domestic violence; providing for future legislative review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for CS for SB 186** and read the second time by title.

Pursuant to Rule 4.19, **HB 63** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg, by two-thirds vote **CS for HB 55** was withdrawn from the Committees on Children, Families, and Elder Affairs; Commerce; Judiciary; and General Government Appropriations.

On motion by Senator Aronberg—

CS for HB 55—A bill to be entitled An act relating to domestic violence; creating s. 741.313, F.S.; defining the terms "domestic violence," "employee," "employer," "family or household member," and "victim"; requiring that certain employers permit an employee to take leave from work to undertake activities resulting from an act of domestic violence; specifying the activities for which the employee may take leave; requiring the employee to notify the employer of the leave; providing exceptions; requiring a private employer to keep information relating to the

employee's leave confidential; requiring a governmental agency to keep such information confidential and exempt to the extent authorized by statute; prohibiting an employer from taking certain actions against the employee for exercising rights specified in the act; providing a recourse for violation of the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 188** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 55** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano, by two-thirds vote **CS for HB 989** was withdrawn from the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

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

CS for HB 989—A bill to be entitled An act relating to crime victims; amending s. 960.001, F.S.; providing that alleged victims of sexual offenses shall not be required to submit to a polygraph or other truth-telling examination as a condition of proceeding with the investigation of such an offense; providing that refusal of the alleged victim to submit to such examination does not preclude investigation, charging, or prosecution of the alleged offense; providing for the presence of victim advocates during forensic medical examinations; amending s. 960.003, F.S.; requiring that HIV testing of certain defendants be ordered within a specified period; amending s. 960.03, F.S.; revising the definition of "crime" for specified purposes; amending s. 960.28, F.S.; revising provisions relating to payment of initial forensic examinations of alleged victims of certain sexual offenses; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 642** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 989** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 1036—A bill to be entitled An act relating to the Mobile Home Relocation Corporation; amending s. 723.061, F.S.; providing notice requirements to certain mobile home lot tenants regarding entitlement to compensation from the Florida Mobile Home Relocation Trust Fund; amending s. 723.06116, F.S.; providing for late fees if a mobile home park does not make payments to the Florida Mobile Home Relocation Corporation within the required period; providing for venue for actions to collect payments; amending s. 723.0612, F.S.; providing an exception to provisions providing for payment of relocation expenses; providing certain periods within which an application for funding for relation expenses must be submitted to the corporation; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 1036** to **CS for HB 259**.

Pending further consideration of **CS for SB 1036** as amended, on motion by Senator Fasano, by two-thirds vote **CS for HB 259** was withdrawn from the Committees on Regulated Industries; and General Government Appropriations.

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

CS for HB 259—A bill to be entitled An act relating to the mobile home relocation corporation; amending s. 723.061, F.S.; providing notice requirements to certain mobile home lot tenants regarding entitlement to compensation from the Florida Mobile Home Relocation Trust Fund; amending s. 723.06116, F.S.; providing for late fees if a mobile home park owner does not make payments to the Florida Mobile Home Relocation Corporation within the required time period; authorizing the corporation to file and maintain certain actions to collect payments in Leon County; amending s. 723.0612, F.S.; prohibiting approval of certain applications for funding submitted by persons who have settled certain claims or causes of action; providing certain time periods within which

an application for funding for relocation expenses must be submitted to the corporation; providing an effective date.

—a companion measure, was substituted for **CS for SB 1036** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 259** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1388** was deferred.

By Senator Storms—

CS for SB 1394—A bill to be entitled An act relating to health and human services; authorizing the Department of Children and Family Services to begin the process of reorganization; requiring the department to integrate substance abuse and mental health programs into its structure and priorities; authorizing the department to plan for the realignment of districts in conformance with judicial circuits; requiring that a report be submitted to the Legislature; authorizing the department to use the name Department of Children and Families; authorizing the department to establish community partnerships and advisory groups; providing for members of such partnerships or advisory groups to be reimbursed for per diem, travel, and child care expenses; providing for the members to be subject to the Code of Ethics for Public Officers and Employees; providing that meetings and records of the partnerships and advisory groups are subject to the public-meetings and public-records law; amending s. 839.13, F.S.; clarifying provisions that prohibit falsifying, altering, or in any manner destroying records if such act may be detrimental to the health, safety, or welfare of an individual in the care and custody of a state agency; clarifying provisions that prohibit falsifying, altering, or in any manner destroying records of the Department of Children and Family Services or its contract provider with the intent to conceal a material fact; providing for the application of penalties thereto; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1394** was placed on the calendar of Bills on Third Reading.

By Senator Carlton—

CS for SB 1424—A bill to be entitled An act relating to state financial matters; amending s. 215.47, F.S.; revising a limitation on the percentage of a fund that may be invested in specified investments; amending s. 216.181, F.S.; prohibiting initiating or commencing a new fixed capital outlay project through an amendment to the original approved operating budget for operational and fixed capital outlay expenditures; authorizing the Executive Office of the Governor to approve changes in amounts appropriated to the Department of Military Affairs for fixed capital outlay projects under specified circumstances; prohibiting initiating or commencing a fixed capital outlay project by a change to an approved operating budget unless specifically provided; amending s. 216.1827, F.S.; requiring that a state agency submit to the Executive Office of the Governor for review and approval requests concerning the revision or addition of agency activities, including the alignment of activities to performance measures; amending s. 216.192, F.S.; providing for certain exceptions to provisions of the original approved operating budget of state agencies and the judicial branch to be provided by law rather than in the General Appropriations Act; amending s. 216.292, F.S.; deleting provisions authorizing the approval of the transfer of funds for fixed capital outlay projects for the Department of Military Affairs; amending s. 286.036, F.S.; reassigning the Taxation and Budget Reform Commission for administrative purposes from the Board of Regents to the Office of Legislative Services; amending s. 1003.03, F.S.; authorizing the Commissioner of Education to recommend a budget amendment for the transfer of certain funds if the State Board of Education finds that a district has been unable to meet class size reduction requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1424** was placed on the calendar of Bills on Third Reading.

Pursuant to Rule 4.19, **CS for HB 721** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1604** was deferred.

By Senator Joyner—

By Senator Fasano—

CS for CS for SB 2008—A bill to be entitled An act relating to beaches and shores; amending s. 161.021, F.S.; amending a definition; amending s. 161.141, F.S.; providing additional legislative intent; creating s. 161.144, F.S.; providing for the development and maintenance of an inventory of identified offshore sand sources by the Department of Environmental Protection as part of its comprehensive long-term beach management plan; providing for public review of maps of offshore sand sources; providing for boards of county commissioners of coastal counties adjacent to sand sources proposed for use outside of the region or subregion to be notified and given adequate opportunity to comment during a project's planning and permitting stages; providing for the inclusion of certain information in the department's annual funding request; providing an effective date.

CS for SB 2118—A bill to be entitled An act relating to debts and debtors; amending s. 222.25, F.S.; providing that personal property of a specified value is exempt from legal process if the debtor does not receive a homestead exemption; providing limitations; amending s. 702.035, F.S.; permitting foreclosure notices to be published in certain newspapers that publish at least 5 days a week except during legal holidays; amending s. 727.103, F.S.; redefining the terms “asset” and “assignee”; defining the term “consensual lienholder”; amending s. 727.104, F.S.; revising the assignment and schedule forms; providing forms for verification and acceptance under oath for assignments and schedules; amending s. 727.105, F.S.; authorizing a consensual lienholder only to enforce a security interest against the assets of an estate; amending s. 727.108, F.S.; revising and providing additional duties for the assignee; amending s. 727.109, F.S.; providing additional powers of the court; amending s. 727.110, F.S.; conforming cross-references; amending s. 727.111, F.S.; requiring the assignee to give notice of the assignee's continued operation of the assignor's business; authorizing the assignee to take action as described in the notice by order of the court; requiring that notice be given to all consensual lienholders and counsel; amending s. 727.112, F.S.; providing limitations on a claim for damages; amending s. 727.113, F.S.; authorizing a creditor of the assignor to file an objection to a claim; requiring an assignee to create a claims register; providing that an assignee or any creditor has standing to challenge any claim by another creditor; authorizing certain creditors to file a claim for an unsecured deficiency within a certain time; amending s. 727.114, F.S.; providing that certain creditors are unsecured creditors for purpose of priority of distribution; revising the type and amount of claims receiving a priority distribution; providing that a subordination agreement is enforceable; providing that certain claims are subordinate to other claims; providing an exception for a claim for common stock; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2008** was placed on the calendar of Bills on Third Reading.

—was read the second time by title.

On motion by Senator Storms, by two-thirds vote **HB 7111** was withdrawn from the Committees on Judiciary; Criminal Justice; and Health and Human Services Appropriations.

Senator Joyner moved the following amendments which were adopted:

On motion by Senator Storms—

HB 7111—A bill to be entitled An act relating to guardianship; amending s. 744.3135, F.S.; revising provisions relating to criminal history record checks for professional and nonprofessional guardians; granting rulemaking authority to the Statewide Public Guardianship Office; revising terminology; deleting obsolete language; revising language concerning investigations of credit histories of professional guardians and certain of their employees; providing an effective date.

—a companion measure, was substituted for **CS for SB 2040** and read the second time by title.

Amendment 1 (123876)(with title amendment)—On page 4, line 28 through page 5, line 2, delete those lines and insert:

Pursuant to Rule 4.19, **HB 7111** was placed on the calendar of Bills on Third Reading.

(5) “*Claims bar date*” means the date that is 120 days after the date on which the petition is filed with the court.

CS for SB 2102—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; exempting payments to postsecondary educational institutions made by certain persons granted a right to conduct bookstore operations by such an institution; providing for retroactive application and for construction of such application; providing an effective date.

(6) “*Consensual lienholder*” means a creditor that has been granted a security interest or lien in personal property or real property of the assignor prior to the date on which a petition is filed with the court and whose security interest or lien has been perfected in accordance with applicable law.

(Redesignate subsequent subsections.)

And the title is amended as follows:

On page 1, line 12, following the semicolon (;) insert: defining the term “claims bar date”;

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 2102** to **CS for HB 721**.

Amendment 2 (340436)—On page 21, lines 4 and 5, delete those lines and insert:

Pending further consideration of **CS for SB 2102** as amended, on motion by Senator Gaetz, by two-thirds vote **CS for HB 721** was withdrawn from the Committees on Higher Education; Finance and Tax; and General Government Appropriations.

(2) *Following expiration of the claims bar date, the*

Pursuant to Rule 4.19, **CS for SB 2118** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz—

CS for HB 721—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; exempting payments to postsecondary educational institutions made for certain bookstore operations; providing a definition; providing construction; providing for retroactive application; providing an effective date.

By Senator Constantine—

—a companion measure, was substituted for **CS for SB 2102** as amended and read the second time by title.

CS for CS for SB 2134—A bill to be entitled An act relating to tax increment financing; authorizing two or more counties, or a combination of at least one county and municipality, to establish a tax increment area for conservation lands by interlocal agreement; providing requirements for such an interlocal agreement; requiring that a tax increment be

determined annually; limiting the amount of the tax increment; requiring the establishment of a separate reserve account for each tax increment area; providing for a refund; requiring an annual audit of the separate reserve account; providing for the administration of the separate reserve account; providing that the governmental body that administers the separate reserve account may spend revenues from the tax increment to purchase real property only if all parties to the interlocal agreement adopt a resolution that approves the purchase price; providing that a water management district may be a party to the interlocal agreement; requiring certain approvals from the Department of Environmental Protection and the Department of Community Affairs; providing a comparative standard on which the minimum annual funding of the separate reserve account must be based; requiring a taxing authority that does not pay tax increment revenues to the separate reserve account before a specified date to pay a specified amount of interest on the amount of unpaid increment revenues; providing exemptions for certain public bodies, taxing authorities, and special districts; providing that revenue bonds may be paid only from revenues deposited into the separate reserve account; providing that such revenue bonds are not a debt, liability, or obligation of the state or any public body; providing legislative findings; providing an effective date.

—was read the second time by title.

Senator Constantine moved the following amendment which was adopted:

Amendment 1 (503668)(with title amendment)—On page 5, line 8, after “*Statutes*,” insert: *school districts*

And the title is amended as follows:

On page 2, line 2, after “authorities”, insert: *school districts*

MOTION

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

Senator Constantine moved the following amendment which was adopted:

Amendment 2 (854708)—On page 2, line 25, after “area” insert: *that is a party to the interlocal agreement*

Pursuant to Rule 4.19, **CS for CS for SB 2134** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Wise—

CS for CS for CS for SB 2234—A bill to be entitled An act relating to regulation of building inspection professionals; creating pt. XV of ch. 468, F.S., relating to regulation of home inspectors; providing a purpose; providing exemptions; providing definitions; authorizing the Department of Business and Professional Regulation to establish fees; limiting fee amounts; providing for a home inspector licensure examination; providing qualifications to take the licensure examination; providing requirements for the department to certify and license home inspectors; providing for licensure by endorsement; requiring continuing education for license renewal; providing criteria for continuing education; providing for inactivation of licenses; requiring the department to establish fees for the reactivation and renewal of inactive licenses; providing for certification of partnerships and corporations offering home inspection services; requiring a certificate of authorization for certain persons and entities practicing home inspection services; providing for prohibitions and penalties; providing grounds for disciplinary proceedings; authorizing the department to impose specified penalties; requiring home inspectors to provide a specified disclosure to consumers; requiring home inspectors to maintain a specified insurance policy; requiring home inspectors to provide a written report to homeowners upon completion of each home inspection; providing content requirements for home inspection reports; authorizing certain persons to qualify for home inspection licensure notwithstanding the requirements of this part; creating pt. XVI of ch. 468, F.S., relating to regulation of mold remediators and mold assessors; providing a purpose; providing exemptions; providing definitions; authorizing the department to establish fees; limiting fee amounts; providing for a mold assessor and mold remediator licensure examination;

providing qualifications to take the licensure examinations; providing requirements for the department to certify and license home inspectors; providing for licensure by endorsement; requiring continuing education for license renewal; providing criteria for continuing education; providing for inactivation of licenses; requiring the department to establish fees for the reactivation and renewal of inactive licenses; providing for certification of partnerships and corporations offering mold assessment or mold remediation services; requiring a certificate of authorization for certain persons and entities practicing home inspection services; providing for prohibitions and penalties; providing grounds for disciplinary proceedings; authorizing the department to impose specified penalties; requiring mold assessors and mold remediators to maintain specified insurance policies; providing requirements for contracts to perform mold assessment or mold remediation; authorizing certain persons to qualify for mold assessment and mold remediation licensure notwithstanding the requirements of this part; authorizing additional positions and providing appropriations; providing an effective date.

—was read the second time by title.

Senator Wise moved the following amendments which were adopted:

Amendment 1 (650378)(with title amendment)—On page 3, between lines 11 and 12, insert:

Section 1. Subsection (3) of section 634.301, Florida Statutes, is amended to read:

634.301 Definitions.—As used in this part, the term:

(3) “Home warranty” or “warranty” means any contract or agreement:

- (a) Offered in connection with the sale of residential property;
- (b) Offered in connection with a loan of \$5,000 or more which is secured by residential property that is the subject of the warranty, but not in connection with the sale of such property; ~~or~~
- (c) Offered in connection with a home improvement of \$7,500 or more for residential property that is the subject of the warranty, but not in connection with the sale of such property; *or*

(d) Offered in connection with a home service inspection as defined under s. 468.8311(4) or a mold assessment as defined under s. 468.8411(3);

whereby a person undertakes to indemnify the warranty holder against the cost of repair or replacement, or actually furnishes repair or replacement, of any structural component or appliance of a home, necessitated by wear and tear or an inherent defect of any such structural component or appliance or necessitated by the failure of an inspection to detect the likelihood of any such loss. However, this part does not prohibit the giving of usual performance guarantees by either the builder of a home or the manufacturer or seller of an appliance, as long as no identifiable charge is made for such guarantee. This part does not permit the provision of indemnification against consequential damages arising from the failure of any structural component or appliance of a home, which practice constitutes the transaction of insurance subject to all requirements of the insurance code. This part does not apply to service contracts entered into between consumers and nonprofit organizations or cooperatives the members of which consist of condominium associations and condominium owners and which perform repairs and maintenance for appliances or maintenance of the residential property. This part does not apply to a contract or agreement offered in connection with a sale of residential property by a warranty association in compliance with part III, provided such contract or agreement only relates to the systems and appliances of the covered residential property and does not cover any structural component of the residential property.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 3, after the semicolon (;) insert: amending s. 634.301, F.S.; redefining the terms “home warranty” or “warranty” for purposes of part II of ch. 634, F.S., relating to home warranty associations;

Amendment 2 (190872)—On page 6, lines 12-20, delete those lines and insert: *inspector if the applicant is of good moral character and has*

completed a course of study of no less than 120 hours that covers all of the following components of a home, structure, electrical system, HVAC system, roof covering, plumbing system, interior components, exterior components, and site conditions that affect the structure.

Amendment 3 (675356)—On page 30, delete line 3 and insert:

Section 4. This act shall take effect July 1, 2010.

Pursuant to Rule 4.19, **CS for CS for CS for SB 2234** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Haridopolos—

CS for SB 2482—A bill to be entitled An act relating to tax administration; amending s. 45.032, F.S.; including a tax warrant as a subordinate lienholder for purposes of the disbursement of surplus funds after a judicial sale; amending s. 193.1551, F.S.; providing for provisions governing the assessment of homestead property damaged in certain named storms to apply to properties in which repairs are commenced by January 1, 2008; amending s. 196.192, F.S.; specifying that ownership of property by a tax-exempt organization's sole member limited liability company has the same status for property tax purposes as direct ownership by the tax-exempt organization; amending s. 196.193, F.S.; requiring the property appraiser to explain to a nonprofit organization the legal and factual basis for denying a property tax exemption to the nonprofit organization; amending s. 196.196, F.S.; providing that property owned by an exempt entity shall be deemed to be used for religious purposes if the institution has taken affirmative steps to prepare the property for use as a public house of worship; providing definitions; amending s. 197.572, F.S.; providing for easements for conservation purposes; amending s. 198.13, F.S.; exempting certain representatives of an estate from the requirement to file certain returns if there is no tax on estates of decedents or no tax on generation-skipping transfers; amending s. 202.16, F.S.; requiring dealers to document exempt sales for resale; providing requirements and procedures; providing a definition; providing construction; providing for dealer provision of evidence of the exempt status of certain sales through an informal protest process; requiring the Department of Revenue to accept certain evidence during the protest period; providing limitations; requiring the department to establish a toll-free telephone number for the purpose of verifying registration numbers and resale certificates; requiring the department to establish a system for receiving information from dealers regarding certificate numbers; amending s. 220.18, F.S.; providing for adjustments in communications services tax distributions to correct for misallocations between jurisdictions; amending s. 202.20, F.S.; limiting local governmental authority to make certain rate adjustments in the tax under certain circumstances; providing for a determination of completeness of certain data; amending s. 202.28, F.S.; providing requirements for the Department of Revenue with respect to distributing proceeds of the communications services tax and allocating certain penalties; amending s. 202.30, F.S.; reducing the threshold tax amount over a specified period under which a dealer of communications services is required to remit taxes electronically; amending ss. 206.02 and 206.021, F.S.; authorizing the Department of Revenue to issue temporary fuel licenses during a declared state of emergency or a declared disaster; amending s. 206.9943, F.S.; authorizing the department to issue a temporary pollutant tax license during a declared state of emergency or a declared disaster; amending s. 211.3103, F.S.; providing for the annual producer price index to apply to the tax on the severance of phosphate rock; amending s. 212.02, F.S.; adding leases of certain aircraft to the definition of the term "qualified aircraft"; amending ss. 212.05 and 212.0515, F.S.; authorizing the department to adopt additional divisors for calculating the sales tax on vending machines when a county imposes a sales surtax rate that is not listed in statute; amending s. 212.0506, F.S.; clarifying that the definition of the term "service warranty" excludes certain contracts; amending s. 212.08, F.S., relating to exemptions from the sales tax; deleting provisions exempting certain building materials and business property from application of certain requirements for refunds; providing a sales tax exemption for certain delivery charges; repealing s. 212.095, F.S., relating to a sales tax refund permit for certain organizations; amending s. 212.10, F.S.; authorizing the Department of Revenue to transfer tax liability to certain entities upon the transfer of a dealer's assets or liabilities; authorizing the department to require that the liability be paid or a bond be posted; providing that transfer of the liability does not extinguish the liability of the seller or former owner; providing

a penalty; providing circumstances under which an unrelated entity is not responsible for the tax liability; amending s. 212.12, F.S.; providing that a person is liable for failure to register a business or collect the required taxes; providing penalties; providing exceptions to certain penalties; amending s. 212.14, F.S.; providing for the department to require a bond or other security as a condition of obtaining a tax certificate or registration at its discretion; amending s. 212.18, F.S., relating to dealer registrations; deleting obsolete provisions governing informal conferences; authorizing the Department of Revenue, in conjunction with financial institutions, to design a pilot program for identifying certain account holders against whose property the department has a tax warrant; authorizing the department to enter into agreements with financial institutions for developing and operating a data match system; requiring the department to pay a fee to participating financial institutions; requiring the department to submit a report to the Legislature; amending s. 213.053, F.S.; authorizing the department to provide information to certain financial institutions and to the child support enforcement program; amending s. 213.21, F.S.; providing for a taxpayer's liability for a service fee to be waived due to unintentional error; creating s. 213.32, F.S.; providing legislative intent with respect to the integration of the enforcement authority of the Department of Revenue; authorizing the department to issue warrants and file judgment lien certificates evidencing a taxpayer's total liability for all taxes, fees, or surcharges; providing procedures for the department in revoking a certificate of registration, permit, or license; authorizing the department to require cash deposits, surety bonds, or irrevocable letters of credit as a condition to a taxpayer obtaining, renewing, or retaining a certificate of registration, permit, or license; providing definitions; prohibiting the amount of required security from exceeding the taxpayer's estimated liability; requiring that a taxpayer be given prior notice; providing for the department to require additional security under certain circumstances; providing for a release or refund of security; authorizing the department to request that the Department of Legal Affairs obtain an injunction to prevent the taxpayer from engaging in business activity under certain circumstances; authorizing the department to sell any security to recover taxes, fees, or surcharges that are due; providing for garnishment proceedings; authorizing the department to transfer liabilities to responsible corporate officers; providing for jeopardy assessments; authorizing the department to adopt rules; amending s. 213.755, F.S.; reducing the threshold tax amount over a specified period under which a taxpayer may be required to remit taxes electronically; amending s. 220.21, F.S.; requiring a taxpayer that is required to file its federal income tax return electronically to also file its state corporate income tax electronically; providing a penalty for failure to do so; authorizing the department to adopt rules; providing for applicability; amending s. 220.803, F.S., relating to the determination of certain tax deficiencies; deleting provisions imposing a penalty for tax deficiencies due to negligence or intentional disregard of rules and regulations; amending s. 443.1216, F.S.; authorizing the Agency for Workforce Innovation and the agency that collects unemployment taxes to adopt rules; clarifying that certain senior management positions are excluded from unemployment compensation provisions; amending s. 443.1316, F.S.; providing for certain provisions of ch. 213, F.S., relating to taxpayers rights, to apply to the collection of unemployment taxes; deleting a limitation on the amount the department may charge for the costs of collection services; amending s. 443.141, F.S.; authorizing the department to impose a penalty for erroneous, incomplete, or insufficient reports with respect to unemployment contributions and reimbursements; requiring that the penalties be paid into the Special Employment Security Administration Trust Fund; amending s. 443.163, F.S.; revising the threshold number of employees for which an employer must report and remit contributions and reimbursements electronically; amending s. 624.511, F.S.; authorizing the Department of Revenue to refund an overpayment of insurance premium tax under certain circumstances; amending s. 832.062, F.S.; providing for prima facie evidence of intent to defraud or knowledge of insufficient funds with respect to an electronic transfer to the Department of Revenue which is not honored or refused; providing requirements for notice; providing for the department to recover court costs and attorney's fees; providing procedures for establishing prima facie evidence; providing for refunds of certain property taxes for residential property damaged or destroyed by a tornado during a specified period; providing effective dates.

—was read the second time by title.

Senator Haridopolos moved the following amendments which were adopted:

Amendment 1 (931034)(with title amendment)—On page 23, lines 11-13, delete those lines and insert: the previous state fiscal year was \$20,000 ~~\$50,000~~ or more.

And the title is amended as follows:

On page 2, lines 30 and 31, delete those lines and insert: reducing the threshold tax amount which a dealer of

Amendment 2 (342060)(with title amendment)—On page 46, line 22 through page 52, line 14, delete those lines and renumber subsequent section.

And the title is amended as follows:

On page 3, line 31 through page 4, line 10, delete those lines and insert: amending s.

Amendment 3 (463796)(with directory and title amendments)—On page 54, between lines 3 and 4, insert:

(6)

(c)1. If the records of a dealer are adequate but voluminous in nature and substance, the department may sample such records, ~~except for fixed assets~~, and project the audit findings derived therefrom over the entire audit period to determine the proportion that taxable retail sales bear to total retail sales or the proportion that taxable purchases bear to total purchases. In order to conduct such a sample, the department must first make a good faith effort to reach an agreement with the dealer, which agreement provides for the means and methods to be used in the sampling process. In the event that no agreement is reached, the dealer is entitled to a review by the executive director. *In the case of fixed assets, a dealer may agree in writing with the department for adequate but voluminous records to be statistically sampled. Such an agreement shall provide for the methodology to be used in the statistical sampling process. The audit findings derived therefrom shall be projected over the period represented by the sample in order to determine the proportion that taxable purchases bear to total purchases. Once an agreement has been signed, it is final and conclusive with respect to the method of sampling fixed assets, and the department may not conduct a detailed audit of fixed assets and the taxpayer may not request a detailed audit after the agreement is reached.*

2. For the purposes of sampling pursuant to subparagraph 1., the department shall project any deficiencies and overpayments derived therefrom over the entire audit period. In determining the dealer's compliance, the department shall reduce any tax deficiency as derived from the sample by the amount of any overpayment derived from the sample. In the event the department determines from the sample results that the dealer has a net tax overpayment, the department shall provide the findings of this overpayment to the Chief Financial Officer for repayment of funds paid into the State Treasury through error pursuant to s. 215.26.

3.a. A taxpayer is entitled, both in connection with an audit and in connection with an application for refund filed independently of any audit, to establish the amount of any refund or deficiency through statistical sampling when the taxpayer's records, ~~other than those regarding fixed assets~~, are adequate but voluminous. *In the case of fixed assets, a dealer may agree in writing with the department for adequate but voluminous records to be statistically sampled. Such an agreement shall provide for the methodology to be used in the statistical sampling process. The audit findings derived therefrom shall be projected over the period represented by the sample in order to determine the proportion that taxable purchases bear to total purchases. Once an agreement has been signed, it is final and conclusive with respect to the method of sampling fixed assets, and the department may not conduct a detailed audit of fixed assets and the taxpayer may not request a detailed audit after the agreement is reached.*

b. Alternatively, a taxpayer is entitled to establish any refund or deficiency through any other sampling method agreed upon by the taxpayer and the department when the taxpayer's records, other than those regarding fixed assets, are adequate but voluminous. Whether done through statistical sampling or any other sampling method agreed upon by the taxpayer and the department, the completed sample must reflect both overpayments and underpayments of taxes due. The sample shall be conducted through:

(I) A taxpayer request to perform the sampling through the certified audit program pursuant to s. 213.285;

(II) Attestation by a certified public accountant as to the adequacy of the sampling method utilized and the results reached using such sampling method; or

(III) A sampling method that has been submitted by the taxpayer and approved by the department before a refund claim is submitted. This sub-sub-subparagraph does not prohibit a taxpayer from filing a refund claim prior to approval by the department of the sampling method; however, a refund claim submitted before the sampling method has been approved by the department cannot be a complete refund application pursuant to s. 213.255 until the sampling method has been approved by the department.

c.b. The department shall prescribe by rule the procedures to be followed under each method of sampling. Such procedures shall follow generally accepted auditing procedures for sampling. The rule shall also set forth other criteria regarding the use of sampling, including, but not limited to, training requirements that must be met before a sampling method may be utilized and the steps necessary for the department and the taxpayer to reach agreement on a sampling method submitted by the taxpayer for approval by the department.

Section 27. *The amendments to s. 212.12(6)(c), Florida Statutes, shall take effect on July 1, 2007. It is the intent of the Legislature that the amendments to s. 212.12(6)(c), Florida Statutes, apply to all pending sales and use tax audits or other actions or inquiries, excluding those currently under protest or in litigation. The amendments to s. 212.12(6)(c), Florida Statutes, do not create any right to refund for taxes previously assessed and paid in regard to audits or other actions or inquiries that are no longer pending.*

(Redesignate subsequent sections.)

And the directory clause is amended as follows:

On page 52, lines 15 and 16, delete those lines and insert:

Section 26. Paragraph (d) of subsection (2) and paragraph (c) of subsection (6) of section 212.12, Florida Statutes, are amended to read:

And the title is amended as follows:

On page 4, line 14, after the semicolon (;) insert: providing for voluntary sampling of fixed assets; providing for application; providing legislative intent;

Amendment 4 (842266)(with title amendment)—On page 54, line 4 through page 59, line 12, delete those lines and renumber subsequent sections.

And the title is amended as follows:

On page 4, lines 15-21, delete those lines and insert: authorizing the Department of

Amendment 5 (664916)—On page 60, lines 8 and 9, delete those lines and insert: *disclosed only for the purpose of determining the feasibility of the program. The department may not engage in*

Amendment 6 (841872)(with directory and title amendments)—On page 60, line 22 through page 61, line 3, delete those lines.

And the directory clause is amended as follows:

On page 60, lines 18-20, delete those lines and insert:

Section 30. Paragraph (a) of subsection (16) of section 213.053, Florida Statutes, is amended to read:

And the title is amended as follows:

On page 5, lines 3 and 4, delete those lines and insert: information to the child support enforcement program;

Amendment 7 (583386)(with title amendment)—On page 61, line 29 through page 68, line 12, delete those lines and renumber subsequent sections.

And the title is amended as follows:

On page 5, line 7 through page 6, line 8, delete those lines and insert: waived due to unintentional error; amending s.

Amendment 8 (272824)(with title amendment)—On page 68, lines 21-23, delete those lines and insert: state fiscal year in an amount of \$20,000 ~~\$30,000~~ or more. Any taxpayer who operates two

And the title is amended as follows:

On page 6, delete line 10 and insert: amount under which a

Amendment 9 (770262)—On page 69, line 26 through page 70, line 8, delete those lines and insert: be prescribed by the department. *In the case of any failure to comply with the electronic-filing requirements of this subsection, a penalty shall be added to the amount of tax due with such return equal to 5 percent of the amount of such tax for the first 30 days the return is not filed electronically, with an additional 5 percent of such tax for each additional month or fraction thereof, not to exceed \$250 in the aggregate. The department may settle or compromise the penalty pursuant to s. 213.21. This penalty is in addition to any other penalty that may be applicable and shall be assessed, collected, and paid in the same manner as taxes.*

(3) *In addition to its authority under s. 213.755, the department may adopt rules requiring or allowing taxpayers to use an electronic-filing system to file returns required by subsection (2), including any electronic systems developed by the Internal Revenue Service. Rulemaking authority requiring electronic filing is limited to the federal corporate income tax filing threshold for electronic filing as it exists on January 1, 2007.*

Amendment 10 (335842)(with title amendment)—On page 70, lines 12-30, delete those lines and renumber subsequent sections.

And the title is amended as follows:

On page 6, lines 18-23, delete those lines and insert: rules; providing for applicability; amending s. 443.1216, F.S.;

Amendment 11 (602040)—On page 74, line 27, delete “213.32,”

Amendment 12 (475268)(with title amendment)—On page 75, line 6 through page 77, line 9, delete those lines and insert:

Section 39. Paragraph (b) of subsection (1) of section 443.141, Florida Statutes, is amended to read:

443.141 Collection of contributions and reimbursements.—

(1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS.—

(b) Penalty for delinquent reports.—

1. An employing unit that fails to file any report required by the Agency for Workforce Innovation or its tax collection service provider, in accordance with rules for administering this chapter, shall pay to the tax collection service provider for each delinquent report the sum of \$25 for each 30 days or fraction thereof that the employing unit is delinquent, unless the agency or its service provider, whichever required the report, finds that the employing unit has or had good reason for failure to file the report. *The agency or its service provider may assess penalties only through the date of the issuance of the final assessment notice. However, additional penalties accrue if the delinquent report is subsequently filed.*

2. Sums collected as penalties under subparagraph 1. must be deposited in the Special Employment Security Administration Trust Fund.

3. The penalty and interest for a delinquent report may be waived when the penalty or interest is inequitable. *The provisions of s. 213.24(1) apply to any penalty or interest that is imposed under this section.*

And the title is amended as follows:

On page 7, lines 4-10, delete those lines and insert: 443.141, F.S.; providing a date through which certain penalties on delinquent unemployment compensation reports can be assessed; applying the provisions of s. 213.24(1), F.S., to such penalties; amending s. 443.163, F.S.; revising

Amendment 13 (495912)(with title amendment)—On page 77, line 10 through page 78, line 6, delete those lines and renumber subsequent sections.

And the title is amended as follows:

On page 7, lines 10-13, delete those lines and insert: Trust Fund; amending s.

Amendment 14 (791402)(with title amendment)—On page 81, between lines 27 and 28, insert:

(c) *This subsection does not apply if it is determined that the dishonored check, draft, order, or electronic funds transfer was refused due to an unintentional error committed by the drawee, maker, drawer, sender, instructor, orderer, initiator, or holder, and the unintentional error is substantiated.*

And the title is amended as follows:

On page 7, line 21, after the semicolon (;) insert: providing for exceptions;

Amendment 15 (034194)—In title, on page 2, line 17, delete “220.18” and insert: 202.18

Pursuant to Rule 4.19, **CS for SB 2482** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Haridopolos, by two-thirds vote **CS for HB 1305** was withdrawn from the Committees on Judiciary; and Governmental Operations.

On motion by Senator Haridopolos—

CS for HB 1305—A bill to be entitled An act relating to notaries public; creating s. 117.021, F.S.; authorizing electronic notarization; requiring electronic signatures to include certain information; providing requirements for the use of a notary public seal with electronic signatures; providing that failure to comply with such requirements may result in specified sanctions against the notary public; authorizing the Department of State to adopt rules to ensure the security, reliability, and uniformity of the signatures and seals; providing an effective date.

—a companion measure, was substituted for **CS for SB 2490** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1305** was placed on the calendar of Bills on Third Reading.

On motion by Senator Joyner, by two-thirds vote **CS for CS for HB 1283** was withdrawn from the Committees on Commerce; Governmental Operations; and Transportation and Economic Development Appropriations.

On motion by Senator Joyner—

CS for CS for HB 1283—A bill to be entitled An act relating to black business investment; amending s. 14.2015, F.S.; requiring the Office of Tourism, Trade, and Economic Development to administer the Black Business Loan Program; providing purposes; amending s. 288.702, F.S.; revising a short title; amending s. 288.703, F.S.; revising the definition of “minority person”; amending s. 288.706, F.S.; deleting references to the Florida Black Business Investment Board, Inc., and black business investment corporations from a list of certain financial institutions maintained by the Department of Management Services; requiring the Department of Management Services to collaborate with the Florida Black Business Investment Board, Inc., and the Office of Tourism, Trade, and Economic Development for certain purposes; creating s. 288.7065, F.S.; providing a short title; amending s. 288.707, F.S.; revising provisions creating the Florida Black Business Investment Board, Inc.; revising legislative findings; creating the board; requiring the board to contract with the Office of Tourism, Trade, and Economic Development for certain purposes; specifying application of public records and public meetings requirements; providing for appointment of a board of directors; specifying terms of office and experience requirements of board members; providing for filling of board vacancies; requiring the

Governor to appoint a chair; providing for meetings; requiring members to serve without compensation; providing for reimbursement of expenses; requiring members to file a statement of financial interests; amending s. 288.708, F.S.; providing for appointment and duties of the president of the board; deleting a provision specifying prudent use of certain funds and requiring use of funds according to applicable laws, bylaws, or contracts; applying certain salary limitation provisions to employees of the board; requiring the Department of Management Services to establish a lease-agreement program for board employees; amending s. 288.709, F.S.; revising the powers of the board; amending s. 288.7091, F.S.; revising the duties of the board; creating s. 288.7094, F.S.; providing a definition; specifying eligibility of certain black business investment corporations to participate in the Black Business Loan Program; requiring the Office of Tourism, Trade, and Economic Development to give priority consideration to such corporations for participation in the program; creating s. 288.7102, F.S.; establishing the Black Business Loan Program in the Office of Tourism, Trade, and Economic Development; requiring the office to disburse funds appropriated by the Legislature, through certified eligible recipients, to certain black business enterprises; providing duties and responsibilities of the office and the board in administering the program; establishing a competitive application and annual certification process for eligible recipients for funds to provide loans, loan guarantees, and investments to black business enterprises; requiring an allocation policy for equitable distribution throughout the state; providing eligibility requirements for recipients to receive funds and to provide loans, loan guarantees, or investments; requiring annual certification of eligibility; providing for award agreements and reimbursement of funds under certain circumstances; requiring the office to adopt rules; requiring the board to adopt policies and procedures; providing restrictions for the use of funds by black business investment corporations; providing legislative intent if an investment mechanism is held invalid; providing for reasonable profit for a black business investment corporation; creating s. 288.71025, F.S.; providing a prohibited act; providing for filing of a civil complaint, imposition of a fine, and the payment of court costs and reasonable attorney's fees; creating s. 288.7103, F.S.; providing black business enterprise eligibility requirements for receiving loans, loan guarantees, or investments; amending s. 288.712, F.S.; revising provisions relating to guarantor funds to assist qualified black business enterprises obtain surety bonds and other credit instruments; authorizing the board to contract with regulated surety companies; revising uses of the Black Contractors Bond Trust Fund; eliminating the Black Business Loan Guaranty Trust Fund and the Black Contractors Bond Program Administrative and Loss Reserve Fund; revising board exceptions to laws and rules related to a guaranty company; requiring board adoption of policies and procedures relating to board guarantee of loss and to required payment of premiums; authorizing contracting with a private entity to administer a black contractors bonding program; delineating board use of a surety bond company; delineating board requirements for implementing the black contractors bonding program; amending s. 288.714, F.S.; requiring recipients to provide quarterly and annual reports; specifying report requirements; requiring the board to provide a summary of such reports to the office; requiring the board to submit an annual program report to the Governor and Legislature; specifying report requirements; amending s. 288.9015, F.S.; requiring Enterprise Florida, Inc., to collaborate with the Florida Black Business Investment Board, Inc., and the Office of Tourism, Trade, and Economic Development for certain purposes; requiring the Office of Program Policy Analysis and Government Accountability to submit a status report to the Governor and Legislature on the implementation of the Florida Black Business Investment Act by the Office of Tourism, Trade, and Economic Development, the Florida Black Business Investment Board, Inc., and program fund recipients; requiring the Office of Program Policy Analysis and Government Accountability to conduct a program review of the performance of the Office of Tourism, Trade, and Economic Development, the Florida Black Business Investment Board, Inc., and program fund recipients in meeting goals of the Florida Black Business Investment Act and to submit a program review report to the Governor and Legislature; amending ss. 17.11, 287.055, 288.90151, 625.3255, 657.042, and 658.67, F.S.; conforming references to changes made by the act; repealing s. 288.7092, F.S., relating to return on investment from activities of the corporation; repealing s. 288.7095, F.S., relating to duties of black business investment corporations; repealing s. 288.71, F.S., relating to conditions for board action; repealing s. 288.7101, F.S., relating to the state employee leasing program of the Department of Management Services for employees of the Florida Black Business Investment Board, Inc.; repealing s. 288.711, F.S., relating to the Florida Investment Incentive Trust Fund; repealing s. 288.713, F.S., relating to capital participation instruments; providing

a legislative finding regarding use of state funds received by the board through fiscal year 2005-2006; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 2860** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1283** was placed on the calendar of Bills on Third Reading.

By Senator Storms—

CS for SB 2868—A bill to be entitled An act relating to mental health and substance abuse services; creating s. 394.4996, F.S.; authorizing the Department of Children and Family Services to establish facilities that provide services as an integrated adult mental health crisis stabilization unit and addictions receiving facility; requiring licensure; providing eligibility criteria for treatment services; requiring the department to adopt rules; amending s. 409.906, F.S.; eliminating the requirement that providers of mental health or substance abuse services must be under contract with the department; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2868** was placed on the calendar of Bills on Third Reading.

On motion by Senator Storms, by two-thirds vote **HB 7107** was withdrawn from the Committees on Children, Families, and Elder Affairs; and Judiciary.

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

HB 7107—A bill to be entitled An act relating to child support enforcement; amending s. 61.1814, F.S.; providing for the collection and deposit of an annual fee for certain child support cases; amending s. 61.1824, F.S.; revising requirements for certain employers to remit support payments electronically; providing grounds for waiving the requirement for employers to electronically remit support payments; amending s. 409.2564, F.S.; lowering the amount of child support owed to permit federal action against an obligor's passport; amending s. 409.25641, F.S.; revising provisions governing the automated enforcement of a support order from another state; amending s. 409.2567, F.S.; authorizing the Department of Revenue to pay a federally required annual fee; amending ss. 49.011 and 409.257, F.S.; authorizing service of process by publication for unknown legal fathers; providing for diligent search and inquiry; amending s. 742.09, F.S.; providing an exception to the prohibition against publication of the name of a party in a paternity action; providing an effective date.

—a companion measure, was substituted for **CS for SB 2870** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 7107** was placed on the calendar of Bills on Third Reading.

MOTIONS

On motion by Senator King, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Monday, April 30.

On motion by Senator King, a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Monday, April 30.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator King, by two-thirds vote **CS for SB 2200** was withdrawn from the Committee on Education Pre-K - 12 Appropriations; and **SB 2202** was withdrawn from the Committees on Governmental Operations; and Rules.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(2), the President Pro Tempore, the Majority Leader, and the Minority Leader submit the following bills to be placed on the Special Order Calendar for Friday, April 27, 2007: CS for SB 110, CS for CS for SB 186, CS for CS for SB 188, CS for CS for SB 642, CS for CS for SB 770, CS for SB 1034, CS for SB 1036, CS for CS for SB 1388, CS for SB 1394, CS for SB 1424, CS for SB 1472, CS for CS for SB 1604, CS for CS for SB 1624, CS for CS for SB 2008, CS for SB 2040, CS for SB 2102, CS for SB 2118, CS for CS for SB 2134, CS for CS for SB 2162, SB 2224, CS for CS for CS for SB 2234, CS for CS for SB 2260, CS for SB 2482, CS for SB 2490, CS for CS for CS for SB 2860, CS for SB 2868, CS for SB 2870

Respectfully submitted,
Lisa Carlton, President Pro Tempore
Daniel Webster, Majority Leader
Steven A. Geller, Minority Leader

Pursuant to Rule 4.17(2), the President Pro Tempore, the Majority Leader, and the Minority Leader submit the following bills to be placed on the Claim Bill Calendar for Friday, April 27, 2007: CS for SB 32, CS for SB 38, CS for SB 44, CS for SB 48, CS for SB 56, SB 70, CS for SB 72, CS for SB 74, CS for SB 76, CS for SB 80, CS for SB 486, CS for SB 504, CS for SB 2968

Respectfully submitted,
Lisa Carlton, President Pro Tempore
Daniel Webster, Majority Leader
Steven A. Geller, Minority Leader

The Chair of the Committee on Rules submits the following bills to be placed on the Consent Bill Calendar for Friday, April 27, 2007: CS for SB 108, CS for CS for SB 362, SB 882, CS for SB 894, SB 1416, CS for SB 1472, CS for CS for SB 1624, SB 1760, CS for CS for SB 2162, SB 2224, CS for CS for SB 2260, CS for CS for SB 2458, CS for CS for SB 2858, SB 2912

Respectfully submitted,
James E. "Jim" King, Jr., Chair

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Governmental Operations; and Senator Lawson—

CS for SB 630—A bill to be entitled An act relating to a public-records exemption for Lifeline Assistance Plan participants; creating s. 364.107, F.S.; creating an exemption from public-records requirements for personal identifying information concerning a participant in a telecommunications carrier's Lifeline Assistance Plan held by the Public Service Commission; providing an exception; providing a penalty for the intentional disclosure of confidential and exempt information by an officer or employee of a telecommunications carrier; providing for review and repeal; providing a statement of public necessity; providing an effective date.

—was placed on the Calendar.

By the Committee on Governmental Operations; and Senator Lawson—

CS for SB 632—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public-records requirements for United States Census Bureau address information held by an agency; providing an exception to the exemption; authorizing access to other confidential or exempt information; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was placed on the Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 259, HB 409, CS for HB 989, CS for HB 1441, HB 7181, HB 7187, HB 7197; has passed as amended CS for HB 343, CS for HB 543, CS for HB 645, CS for HB 1489, CS for HB 1497, HB 1549, HB 7107; has passed by the required constitutional two-thirds vote of the membership HB 7193, HB 7201; has passed as amended by the required constitutional two-thirds vote of the membership 7159 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Economic Expansion and Infrastructure Council; and Representative Attkisson and others—

CS for HB 259—A bill to be entitled An act relating to the mobile home relocation corporation; amending s. 723.061, F.S.; providing notice requirements for certain mobile home lot tenants regarding entitlement to compensation from the Florida Mobile Home Relocation Trust Fund; amending s. 723.06116, F.S.; providing for late fees if a mobile home park owner does not make payments to the Florida Mobile Home Relocation Corporation within the required time period; authorizing the corporation to file and maintain certain actions to collect payments in Leon County; amending s. 723.0612, F.S.; prohibiting approval of certain applications for funding submitted by persons who have settled certain claims or causes of action; providing certain time periods within which an application for funding for relocation expenses must be submitted to the corporation; providing an effective date.

—was referred to the Committees on Regulated Industries; and General Government Appropriations.

By Representative L. Garcia and others—

HB 409—A bill to be entitled An act relating to criminal sentencing; amending s. 775.0823, F.S.; providing that adjudication of guilt or imposition of sentence may not be suspended, deferred, or withheld for an attempted felony murder committed against a law enforcement officer, correctional officer, state attorney, assistant state attorney, justice, or judge; amending s. 921.0024, F.S., relating to the worksheet for the Criminal Punishment Code; providing for computing sentence points if the primary offense is a violation of s. 775.0823, F.S.; amending s. 947.146, F.S., relating to inmates who are ineligible for control release; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

By the Safety and Security Council; and Representative Snyder and others—

CS for HB 989—A bill to be entitled An act relating to crime victims; amending s. 960.001, F.S.; providing that alleged victims of sexual offenses shall not be required to submit to a polygraph or other truth-telling examination as a condition of proceeding with the investigation of such an offense; providing that refusal of the alleged victim to submit to such examination does not preclude investigation, charging, or prosecution of the alleged offense; providing for the presence of victim advocates during forensic medical examinations; amending s. 960.003, F.S.; requiring that HIV testing of certain defendants be ordered within a specified period; amending s. 960.03, F.S.; revising the definition of "crime" for specified purposes; amending s. 960.28, F.S.; revising provisions relating to payment of initial forensic examinations of alleged victims of certain sexual offenses; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By the Safety and Security Council; and Representative G. Thompson—

CS for HB 1441—A bill to be entitled An act relating to female genital mutilation; creating s. 794.08, F.S.; defining the term “female genital mutilation”; providing that a person who commits female genital mutilation upon a female younger than 18 years of age commits a felony of the first degree; providing that a person who removes, or causes or permits the removal of, a female younger than 18 years of age from this state for the purpose of committing female genital mutilation commits a felony of the second degree; providing that a parent or guardian who consents to the female genital mutilation of his or her female child who is younger than 18 years of age commits a felony of the third degree; providing that the act does not apply with respect to certain medical procedures that are conducted by health professionals to preserve the health of the female; providing that consent is not a defense to the offense of female genital mutilation; amending s. 921.0022, F.S.; creating felony classifications in the offense severity ranking chart of the Criminal Punishment Code for specified violations; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Criminal and Civil Justice Appropriations.

By the Healthcare Council; and Representative Galvano and others—

HB 7181—A bill to be entitled An act relating to immigrant victims of human trafficking and other serious crimes; creating s. 414.156, F.S.; providing a definition; providing for the establishment of a state-funded benefit program subject to the availability of funds; providing for eligibility for benefits; providing for termination of benefits; providing for the creation of a public awareness campaign; providing a contingent effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By the Government Efficiency and Accountability Council; and Representative Attkisson—

HB 7187—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding examination and investigation reports under the Florida Insurance Code; amending s. 624.319, F.S., which provides an exemption from public records requirements for specified examination and investigation reports under the Florida Insurance Code and related work papers, information, and lists of insurers or regulated companies; reorganizing the exemption; defining “work papers” to narrow the exemption for work papers and other information held by the Department of Financial Services or the Office of Insurance Regulation pursuant to an examination or investigation; providing for limited duration of the exemption for work papers; making editorial changes; deleting unnecessary language; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Governmental Operations.

By the Government Efficiency and Accountability Council; and Representative Attkisson—

HB 7197—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding social security numbers and financial account numbers; amending s. 119.071, F.S., which provides a general exemption from inspection or copying of public records for social security numbers and bank account, debit, charge, and credit card numbers; reorganizing the exemption for social security numbers; providing definitions; revising reporting requirements; clarifying penalty provisions; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; creating s. 119.0714, F.S., and renumbering and amending s. 119.07(6), F.S.; consolidating and revising current public records exemptions applicable to court files, court records, and official records; revising the date

on which automatic redaction of social security numbers and financial account numbers by court clerks is required; amending s. 215.322, F.S.; eliminating a public records exemption for credit card account numbers in the possession of a state agency, a unit of local government, or the judicial branch; amending s. 119.07, F.S., to conform; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Schools and Learning Council; and Representative Bean and others—

CS for HB 343—A bill to be entitled An act relating to public postsecondary need-based student financial assistance; amending s. 1009.40, F.S.; requiring state residency for a public postsecondary career education student assistance grant; revising eligibility criteria for the renewal of specified financial aid awards; creating s. 1009.505 F.S.; creating the Florida Public Postsecondary Career Education Student Assistance Grant Program; providing for program administration; defining terms; providing that grants are available to specified students in specified postsecondary career certificate programs; providing for annual grant amounts; providing eligibility criteria for career certificate students; requiring reporting by participating institutions; providing for distribution of appropriated funds; providing for transmittal of grant payments to community college presidents or district school superintendents; providing for period of eligibility; requiring participating institutions to certify amounts disbursed to students; requiring the State Board of Education to adopt rules; providing that the program shall only be implemented to the extent funded and authorized by law; amending s. 1009.77, F.S.; revising the purpose of the Florida Work Experience Program; providing that the program is available to students in specified career education programs and educator preparation institutes; authorizing a participating institution to use up to 100 percent of its allocation for student employees within the institution and to reimburse itself for 100 percent of the student wages; lowering the percentage of student wages that must be reimbursed to employers; providing that participating postsecondary educational institutions must pay for specified preemployment expenses for students employed with public schools; requiring employers to pay specified wages; prescribing student eligibility requirements; providing for distribution of funds; requiring certification of funds disbursed to students; removing provisions that require funds appropriated for the program to be deposited in the State Student Financial Assistance Trust Fund and that specify Chief Financial Officer responsibilities; removing provision that requires program balances to be retained; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By the Healthcare Council; and Representative Zapata and others—

CS for HB 543—A bill to be entitled An act relating to immunization services; providing a short title; amending s. 465.003, F.S.; revising a definition relating to the practice of pharmacists; creating s. 465.189, F.S.; authorizing pharmacists to administer influenza virus immunizations to adults; providing requirements with respect thereto; requiring that the protocol between a pharmacist and supervising physician contain certain information, terms, and conditions; requiring that pharmacists authorized to administer influenza virus immunizations provide evidence of current certification by the Board of Pharmacy to the supervising physician; requiring supervising physicians to review certain information in accordance with the written protocol; creating the Task Force for the Study of Biotech Competitiveness; providing for staff support by the Governor’s Office of Tourism, Trade, and Economic Development; providing for appointment of members; requiring a study; requiring a report; providing for expiration of the task force; providing an effective date.

—was referred to the Committees on Health Regulation; and Judiciary.

By the Policy and Budget Council; and Representative Hays and others—

CS for HB 645—A bill to be entitled An act relating to growth management; amending s. 1013.738, F.S.; revising the eligibility criteria for the High Growth District Capital Outlay Assistance Grant Program; revising provisions for allocating funds provided by the General Appropriations Act to the Public Education Capital Outlay and Debt Service Trust Fund; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Finance and Tax; and Education Pre-K - 12 Appropriations.

By the Government Efficiency and Accountability Council; and Representative Aubuchon and others—

CS for HB 1489—A bill to be entitled An act relating to public project construction; amending s. 255.05, F.S.; providing additional requirements for payment and performance bonds; prohibiting conditioning certain bonds on performance of or payment for certain services; creating s. 255.103, F.S.; providing a definition; authorizing local governments to select construction-management or program-management entities to be responsible for certain construction project activities; providing requirements and authority for such entities; providing construction; amending s. 287.055, F.S.; requiring firms awarded certain design-build contracts to, subsequent to competitive negotiations, establish a guaranteed maximum price and guaranteed completion date; providing an effective date.

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

By the Healthcare Council; and Representative Traviesa and others—

CS for HB 1497—A bill to be entitled An act relating to abortion; amending s. 390.0111, F.S.; clarifying the requirement that third trimester abortions be performed in a hospital; providing for disciplinary action for violation of specified provisions; requiring an ultrasound be performed on any woman obtaining an abortion; specifying who must perform an ultrasound; providing that the ultrasound must be reviewed with the patient prior to the woman giving informed consent; specifying who must review the ultrasound with the patient; providing that the woman must certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; providing ban on physicians seeking waivers of patients' rights to file complaints with regulatory bodies or litigate causes of action; requiring a 24-hour waiting period before a physician may perform or induce an abortion on an adult or on certain minor patients; providing for exception in the case of a medical emergency; creating s. 390.01112, F.S.; providing for a women's reproductive bill of rights; requiring abortion clinics and physician abortion providers to adopt a public statement of patients' rights and to treat patients in accordance with that statement; providing for required provisions in the statement to patients; requiring clinics and physician abortion providers to provide the information in their statement orally and in writing to patients or their court-appointed guardians; requiring that the statements be provided to staff members; requiring staff training; providing for disciplinary action for violation of patients' bill of rights; providing for immunity to persons filing complaints or testifying in proceedings, subject to certain conditions; creating s. 390.01113, F.S.; creating a private civil action against clinics, nurses, or physicians or violation of a patients' rights; providing persons who may file a cause of action; providing venue; providing for actual and punitive damages; providing for recovery of attorney's fees under certain circumstances; providing criteria for recovering attorney's fees; providing that a cause of action under this section is not a claim for medical malpractice; providing basis for punitive damages and exemptions from other provisions of law governing punitive damages; amending s. 390.01114, F.S.; revising provisions relating to parental notice of abortion; providing exceptions; providing for a cause of action under certain circumstances for parents who do not receive notice; providing for damages for cause of

action; requiring appointment of a guardian ad litem for a minor petitioning for a waiver of the notice requirements; specifying factors to be considered in determining whether a minor is sufficiently mature to waive the notice requirements; revising provisions relating to confidentiality of hearings; creating s. 390.01117, F.S.; providing for a cause of action in negligence for any injury or death a patient suffers as a result of an abortion; providing for who may bring a cause of action; providing for survival and wrongful death damages if the patient dies; providing for venue; providing for actual and punitive damages; providing for attorney's fees to prevailing party under certain circumstances; providing that remedies are in addition to any other remedies provided for in law; providing criteria for award of attorney's fees; providing burden of proof; providing that a cause of action is not strict liability; providing for legal duties and standards of care for clinics, physicians, or nurses; providing that cause of action under this section is not a medical malpractice claim; providing for exceptions from certain laws; providing standard for award of punitive damages; providing for exceptions from certain laws for punitive damage awards; creating s. 390.01118, F.S.; providing for a statute of limitations and repose for specified causes of action; providing for statute of limitations periods of actions that accrue prior to the effective date of s. 390.01118, F.S.; creating s. 390.01119, F.S.; providing for a misdemeanor of the second degree for fraudulently altering, defacing, or falsifying medical records related to an abortion or for causing any of these offenses; providing for professional licensure actions for the same violations; amending s. 390.012, F.S.; providing that agency rules promulgated shall prohibit the performance of abortions in the third trimester other than in a hospital; requiring that the agency rules provide that a clinic or abortion provider cannot request a patient to waive her rights to sue or file a complaint with a disciplinary body; deleting references to conform; requiring ultrasounds for all patients; requiring that live ultrasound images be reviewed and explained to the patient; providing that the patient may decline to review ultrasound images; providing that any language of the act that could be construed as infringing upon a court's powers shall be construed as a request for rule change; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; and Judiciary.

By Representative Rivera—

HB 1549—A bill to be entitled An act relating to examination of insurers; amending s. 624.316, F.S.; extending the interval at which insurers must be examined by the Office of Insurance Regulation; deleting provisions allowing the office to accept an audit report from a certified public accountant in lieu of conducting its own examination; revising guidelines for conducting such examinations; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Regulated Industries.

By the Healthcare Council; and Representative Galvano—

HB 7107—A bill to be entitled An act relating to child support enforcement; amending s. 61.1814, F.S.; providing for the collection and deposit of an annual fee for certain child support cases; amending s. 61.1824, F.S.; revising requirements for certain employers to remit support payments electronically; providing grounds for waiving the requirement for employers to electronically remit support payments; amending s. 409.2564, F.S.; lowering the amount of child support owed to permit federal action against an obligor's passport; amending s. 409.25641, F.S.; revising provisions governing the automated enforcement of a support order from another state; amending s. 409.2567, F.S.; authorizing the Department of Revenue to pay a federally required annual fee; amending ss. 49.011 and 409.257, F.S.; authorizing service of process by publication for unknown legal fathers; providing for diligent search and inquiry; amending s. 742.09, F.S.; providing an exception to the prohibition against publication of the name of a party in a paternity action; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Judiciary.

By the Government Efficiency and Accountability Council; and Representative Attkisson—

HB 7193—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for specified United States Census Bureau address information held by an agency; providing an exception to the exemption; authorizing access to other related confidential or exempt information; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Government Efficiency and Accountability Council; and Representative Attkisson—

HB 7201—A bill to be entitled An act relating to public records exemptions for economic development agencies; amending s. 288.075, F.S., which provides an exemption from public records requirements for information related to business activities and trade secrets held by an economic development agency; defining the terms “proprietary confidential business information” and “trade secret”; reorganizing the exemption; extending the period of confidentiality for trade secrets; providing a specific exemption for proprietary confidential business information; providing for expiration of the exemption; providing a specific exemption for federal employer identification numbers, unemployment compensation account numbers, and Florida sales tax registration numbers held by an economic development agency; providing a specific exemption for specified information held by an economic development agency pursuant to the administration of an economic incentive program for qualified businesses; providing for limited duration of the exemption; providing penalties; providing for future legislative review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; repealing s. 288.1067, F.S., relating to the confidentiality of records held by the Office of Tourism, Trade, and Economic Development, Enterprise Florida, Inc., or county or municipal governmental entities pursuant to specified incentive programs; providing an effective date.

—was referred to the Committees on Commerce; and Governmental Operations.

By the Jobs and Entrepreneurship Council; and Representative Reagan and others—

HB 7159—A bill to be entitled An act relating to a public records exemption for personal identifying information of Lifeline Assistance Plan participants; creating s. 364.107, F.S.; creating an exemption from public records requirements for personal identifying information of a participant in a telecommunications carrier’s Lifeline Assistance Plan held by the Public Service Commission; providing an exception; providing a penalty for intentional disclosure of confidential and exempt information by an officer or employee of a telecommunications carrier; providing for review and repeal; providing a statement of public necessity; providing an effective date.

—was referred to the Committee on Governmental Operations.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 26 was corrected and approved.

CO-INTRODUCERS

Senators Bullard—CS for SB 856, CS for SB 1856; Justice—CS for SB 1676; Lynn—CS for SB 574 and CS for SB 1228, CS for CS for SB 920, CS for CS for SB 1630

RECESS

On motion by Senator King, the Senate recessed at 5:44 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Monday, April 30 or upon call of the President.

BILL ACTION SUMMARY

FRIDAY, APRIL 27, 2007

- S 108 Read 2nd and 3rd times; CS passed 35-0; immediately certified
- S 110 Read 2nd time
- S 112 Read 2nd time
- S 134 Read 3rd time; Passed 31-8; immediately certified
- S 166 Read 3rd time; Passed 39-0; immediately certified
- S 186 Substituted HB 63; Laid on Table, refer to HB 63
- S 188 Substituted CS for HB 55; Laid on Table, refer to CS for HB 55
- S 314 Read 3rd time; CS passed 37-0; immediately certified
- S 320 Substituted HB 9; Laid on Table, refer to HB 9
- S 352 Read 3rd time; CS passed 39-0; immediately certified
- S 362 Substituted CS for HB 803; Laid on Table, refer to CS for HB 803
- S 390 Read 2nd time
- S 420 Read 3rd time; CS passed 37-0; immediately certified
- S 430 Read 2nd time
- S 482 Substituted CS for HB 615; Laid on Table, refer to CS for HB 615
- S 612 Read 3rd time; CS passed 35-4; immediately certified
- S 624 Read 3rd time; CS passed 37-0; immediately certified
- S 642 Substituted CS for HB 989; Laid on Table, refer to CS for HB 989
- S 670 Read 3rd time; CS passed 38-0; immediately certified
- S 680 Substituted CS for HB 645; Laid on Table, refer to CS for HB 645
- S 692 Substituted CS for HB 1007; Laid on Table, refer to CS for HB 1007
- S 752 Read 3rd time; CS passed as amended 29-10 (132602); immediately certified
- S 770 Read 2nd time
- S 882 Substituted HB 431; Laid on Table, refer to HB 431
- S 894 Substituted CS for HB 1441; Laid on Table, refer to CS for HB 1441
- S 900 Read 3rd time; CS passed as amended 27-9 (395294); immediately certified
- S 902 Read 3rd time; CS passed 35-1; immediately certified
- S 918 Substituted CS for HB 343; Laid on Table, refer to CS for HB 343
- S 920 Read 3rd time; CS passed 38-1; immediately certified
- S 960 Substituted CS for HB 537; Laid on Table, refer to CS for HB 537
- S 1034 Read 2nd time
- S 1036 Read 2nd time; Substituted CS for HB 259; Laid on Table, refer to CS for HB 259
- S 1038 Read 3rd time; CS passed as amended 29-9 (752378); immediately certified
- S 1190 Read 2nd time
- S 1198 Substituted CS for CS for HB 919; Laid on Table, refer to CS for CS for HB 919
- S 1200 Substituted CS for CS for HB 921; Laid on Table, refer to CS for CS for HB 921
- S 1206 Read 3rd time; CS passed 39-0; immediately certified
- S 1394 Read 2nd time
- S 1416 Substituted HB 1199; Laid on Table, refer to HB 1199
- S 1424 Read 2nd time
- S 1472 Read 2nd and 3rd times; CS passed 38-0; immediately certified
- S 1562 Read 3rd time; Passed 39-0; immediately certified
- S 1570 Substituted CS for HB 7147; Laid on Table, refer to CS for HB 7147
- S 1612 Substituted CS for HB 229; Laid on Table, refer to CS for HB 229
- S 1624 Read 2nd time; Read 3rd time; CS passed 38-0; immediately certified
- S 1648 Substituted HB 515; Laid on Table, refer to HB 515
- S 1710 Read 3rd time; CS passed 28-10; immediately certified
- S 1722 Substituted CS for HB 815; Laid on Table, refer to CS for HB 815
- S 1732 Read 3rd time; CS passed 38-0; immediately certified
- S 1760 Read 2nd time; Read 3rd time; Passed as amended 36-0 (535462); immediately certified
- S 1770 Read 2nd time
- S 1844 Read 3rd time; CS passed as amended 38-1; immediately certified

S	1880	Read 3rd time; CS passed as amended 37-0; immediately certified	H	139	Read 3rd time; CS passed 38-0; immediately certified
S	1896	Read 2nd time	H	229	Substituted for CS for SB 1612; Read 2nd time
S	1916	Read 2nd time	H	259	Substituted for CS for SB 1036; Read 2nd time
S	1920	Read 3rd time; CS passed 38-0; immediately certified	H	343	Substituted for CS for CS for SB 918; Read 2nd time; Read 3rd time; CS passed 38-0; immediately certified
S	2008	Read 2nd time	H	431	Substituted for SB 882; Read 2nd time; Read 3rd time; Passed 38-0; immediately certified
S	2022	Read 2nd time	H	449	Read 3rd time; CS passed 37-0; immediately certified
S	2032	Substituted HB 7181; Laid on Table, refer to HB 7181	H	455	Read 3rd time; CS passed 38-0; immediately certified
S	2036	Read 3rd time; CS passed 39-0; immediately certified	H	509	Read 3rd time; CS passed as amended 39-0; immediately certified
S	2040	Substituted HB 7111; Laid on Table, refer to HB 7111	H	515	Substituted for SB 1648; Read 2nd time
S	2054	Read 3rd time; CS passed as amended 39-0 (812634, 513158, 192066); Reconsidered; CS passed as amended 37-0 (812634, 513158, 192066); immediately certified	H	529	Read 3rd time; CS passed as amended 30-3 (961878, 825438, 734540, 704476, 642104, 614248, 524822, 181662); immediately certified
S	2102	Read 2nd time; Substituted CS for HB 721; Laid on Table, refer to CS for HB 721	H	537	Substituted for CS for CS for SB 960; Read 2nd time; Read 3rd time; CS passed as amended 37-2 (941466, 882598, 021414); immediately certified
S	2114	Read 2nd time	H	549	Read 3rd time; Passed as amended 39-0; immediately certified
S	2118	Read 2nd time	H	615	Substituted CS for CS for SB 482; Read 2nd time; Read 3rd time; CS passed 39-0; immediately certified
S	2130	Read 2nd time	H	645	Substituted for CS for SB 680; Read 2nd time; Read 3rd time; CS passed as amended 38-0 (965760, 861386, 853104); immediately certified
S	2134	Read 2nd time	H	707	Read 3rd time; CS passed 39-0; immediately certified
S	2142	Read 3rd time; CS passed as amended 39-0; immediately certified	H	721	Substituted for CS for SB 2102; Read 2nd time
S	2162	Read 2nd time; Read 3rd time; CS passed as amended 37-0 (023084); immediately certified	H	803	Substituted for CS for CS for SB 362; Read 2nd time; Read 3rd time; CS passed 37-0; immediately certified
S	2180	Substituted CS for HB 1185; Laid on Table, refer to CS for HB 1185	H	815	Substituted for CS for SB 1722; Read 2nd time; Read 3rd time; CS passed 38-0; immediately certified
S	2224	Read 2nd time; Read 3rd time; Passed 38-0; immediately certified	H	851	Substituted for CS for SB 2404; Read 2nd time
S	2234	Read 2nd time	H	853	Substituted for CS for SB 2406; Read 2nd time
S	2260	Read 2nd and 3rd times; CS passed 38-0; immediately certified	H	919	Substituted for CS for CS for SB 1198; Read 2nd and 3rd times; CS passed 36-0; immediately certified
S	2404	Substituted HB 851; Laid on Table, refer to HB 851	H	921	Substituted for CS for CS for SB 1200; Read 2nd and 3rd times; CS passed 36-0; immediately certified
S	2406	Substituted HB 853; Laid on Table, refer to HB 853	H	989	Substituted for CS for CS for SB 642; Read 2nd time
S	2434	Read 3rd time; CS passed as amended 34-5; immediately certified	H	1007	Substituted for CS for SB 692; Read 2nd time
S	2458	Substituted CS for HB 1161; Laid on Table, refer to CS for HB 1161	H	1161	Substituted for CS for CS for SB 2458; Read 2nd and 3rd times; CS passed 38-0; immediately certified
S	2482	Read 2nd time	H	1185	Substituted for CS for SB 2180; Read 2nd time; Read 3rd time; CS passed 39-0; immediately certified
S	2488	Substituted HB 7205; Laid on Table, refer to HB 7205	H	1199	Substituted for SB 1416; Read 2nd and 3rd times; Passed 38-0; immediately certified
S	2490	Substituted CS for HB 1305; Laid on Table, refer to CS for HB 1305	H	1283	Substituted for CS for CS for CS for SB 2860; Read 2nd time
S	2512	Read 2nd time	H	1305	Substituted for CS for SB 2490; Read 2nd time
S	2836	Read 3rd time; CS passed as amended 35-0 (864068, 654022, 481024); immediately certified	H	1441	Substituted for CS for SB 894; Read 2nd and 3rd times; CS passed 38-0; immediately certified
S	2858	Read 2nd and 3rd times; CS passed 38-0; immediately certified	H	7107	Substituted for CS for SB 2870; Read 2nd time
S	2860	Substituted CS for CS for HB 1283; Laid on Table, refer to CS for CS for HB 1283	H	7111	Substituted for CS for SB 2040; Read 2nd time
S	2868	Read 2nd time	H	7147	Substituted for CS for SB 1570; Read 2nd time
S	2870	Substituted HB 7107; Laid on Table, refer to HB 7107	H	7167	Read 3rd time; Passed 35-0; immediately certified
S	2912	Read 2nd and 3rd times; Passed 37-0; immediately certified	H	7181	Substituted for CS for SB 2032; Read 2nd time
S	2968	Read 2nd time; Read 3rd time; CS passed as amended 29-5 (305480, 260100); immediately certified	H	7205	Substituted for CS for CS for CS for SB 2488; Read 2nd time; Read 3rd time; Passed 39-0; immediately certified
S	3050	Read 2nd time; Adopted			
H	9	Substituted for SB 320; Read 2nd time; Read 3rd time; Passed 20-19; immediately certified; Requested House to return			
H	55	Substituted for CS for CS for SB 188; Read 2nd time			
H	63	Substituted for CS for CS for SB 186; Read 2nd time			

The following local bills were passed: SB's 32, 38 as amended, 44, 48 as amended, 56, 70 as amended, 72, 74, 76, 80, 486, and 504.

JOURNAL OF THE SENATE

Daily Indices for
April 27, 2007

NUMERIC INDEX

BA — Bill Action
BP — Bill Passed
CO — Co-Introducers
CR — Committee Report

CS — Committee Substitute, First Reading
FR — First Reading
MO — Motion
RC — Reference Change

Table listing legislative bills and resolutions with their corresponding action codes and numbers. Includes entries such as CS/SB 32, SB 70, CS/SB 1190, CS/CS/SB 1198, CS/CS/SB 1200, CS/SB 1206, CS/CS/SB 1388, CS/SB 1394, SB 1416, CS/SB 1424, CS/SB 1472, SB 1562, CS/SB 1570, CS/CS/SB 1604, CS/SB 1612, CS/CS/SB 1624, CS/CS/SB 1630, SB 1648, CS/SB 1676, CS/SB 1710, CS/SB 1722, CS/SB 1732, CS/SB 1736, SB 1760, CS/SB 1770, CS/SB 1778, CS/SB 1844, CS/SB 1856, CS/CS/SB 1880, CS/SB 1896, CS/SB 1900, CS/CS/SB 1916, CS/SB 1920, CS/CS/CS/SB 1980, CS/CS/SB 1982, CS/CS/SB 2008, CS/CS/SB 2022, CS/SB 2032, CS/SB 2036, CS/SB 2040, CS/CS/CS/SB 2054, CS/SB 2102, CS/CS/SB 2114, CS/SB 2118, CS/CS/SB 2130, CS/CS/SB 2134, CS/CS/SB 2136, CS/SB 2142, CS/CS/SB 2162, CS/SB 2180, CS/SB 2200, SB 2202, SB 2224, CS/CS/CS/SB 2234, CS/CS/SB 2260, SB 2304, CS/SB 2404, CS/SB 2406, CS/CS/CS/SB 2434.

JOURNAL OF THE SENATE

CS/CS/SB 2458	(BA) 674, (CR) 688	CS/HB 537	(BA) 644, (BA) 645, (BP) 659
CS/SB 2482	(BA) 684, (BA) 686, (CR) 688	CS/HB 543	(FR) 689
CS/SB 2484	(MO) 664	HB 549	(BA) 634, (BA) 635, (BP) 635
CS/CS/CS/SB 2488	(BA) 642	CS/HB 615	(BA) 636, (BP) 636
CS/SB 2490	(BA) 686, (CR) 688	CS/HB 645	(BA) 662, (BP) 662, (FR) 690
CS/SB 2512	(BA) 630	CS/HB 707	(BA) 639, (BP) 639
CS/SB 2700	(MO) 664	CS/HB 721	(BA) 682
CS/SB 2702	(MO) 664	CS/HB 803	(BA) 671, (BP) 671
CS/SB's 2730 and 1596	(BA) 632	CS/HB 815	(BA) 641, (BP) 641
CS/CS/SB 2754	(MO) 664	HB 851	(BA) 630
SB 2782	(MO) 664	HB 853	(BA) 630
CS/CS/SB 2836	(BA) 642, (BA) 643, (BA) 675, (BA) 677, (BP) 678	CS/CS/HB 919	(BA) 678, (BP) 678
CS/CS/SB 2858	(BA) 674, (BP) 674, (CR) 688	CS/CS/HB 921	(BA) 678, (BP) 679
CS/CS/CS/SB 2860	(BA) 687, (CR) 688	CS/HB 989	(BA) 681, (FR) 688
CS/SB 2868	(BA) 687, (CR) 688	CS/HB 1007	(BA) 628, (BA) 629
CS/SB 2870	(BA) 687, (CR) 688	CS/HB 1161	(BA) 674, (BP) 674
SB 2912	(BA) 675, (BP) 675, (CR) 688	CS/HB 1185	(BA) 641, (BP) 641
CS/SB 2968	(BA) 668, (BP) 668, (CR) 688	HB 1199	(BA) 672, (BP) 672
CS/SJR 3034	(BA) 664	CS/CS/HB 1283	(BA) 686, (BA) 687
SR 3050	(FR) 625, (BP) 626	CS/HB 1305	(BA) 686
HB 9	(BA) 641, (BP) 641, (MO) 675	CS/HB 1441	(BA) 672, (BP) 672, (FR) 689
CS/HB 55	(BA) 680, (BA) 681	CS/HB 1489	(FR) 690
HB 63	(BA) 680	CS/HB 1497	(FR) 690
CS/HB 139	(BA) 662, (BP) 662	HB 1549	(FR) 690
CS/HB 229	(BA) 629	HB 7107	(BA) 687, (FR) 690
CS/HB 259	(BA) 681, (FR) 688	HB 7111	(BA) 682
CS/HB 343	(BA) 662, (BP) 663, (FR) 689	CS/HB 7147	(BA) 626, (BA) 628
HB 409	(FR) 688	HB 7159	(FR) 691
HB 431	(BA) 671, (BP) 671	HB 7167	(BA) 643, (BP) 643
CS/HB 449	(BA) 632, (BA) 675, (BP) 675	HB 7181	(BA) 632, (FR) 689
CS/CS/HB 455	(BA) 663, (BP) 663	HB 7187	(FR) 689
CS/HB 509	(BA) 661, (BP) 661	HB 7193	(FR) 691
HB 515	(BA) 629	HB 7197	(FR) 689
CS/CS/HB 529	(BA) 642, (BA) 679, (BP) 680	HB 7201	(FR) 691
		HB 7205	(BA) 642, (BP) 642

SUBJECT INDEX

Bills on Third Reading	632, 675	Motions Relating to Committee Reference	664, 687
Call to Order	625, 664	Reference Changes, Rule 4.7(2)	688
Claim Bill Calendar	664	Reports of Committees	688
Co-Introducers	661, 691	Resolutions	625
Consent Calendar	671	Special Guests	626
Executive Business, Reports	668	Special Order Calendar	626, 680
House Messages, First Reading	688	Special Recognition	661, 664
Motions	687	Vote, Pair	668

FLORIDA SENATE
TALLAHASSEE, FLORIDA 32399-1100